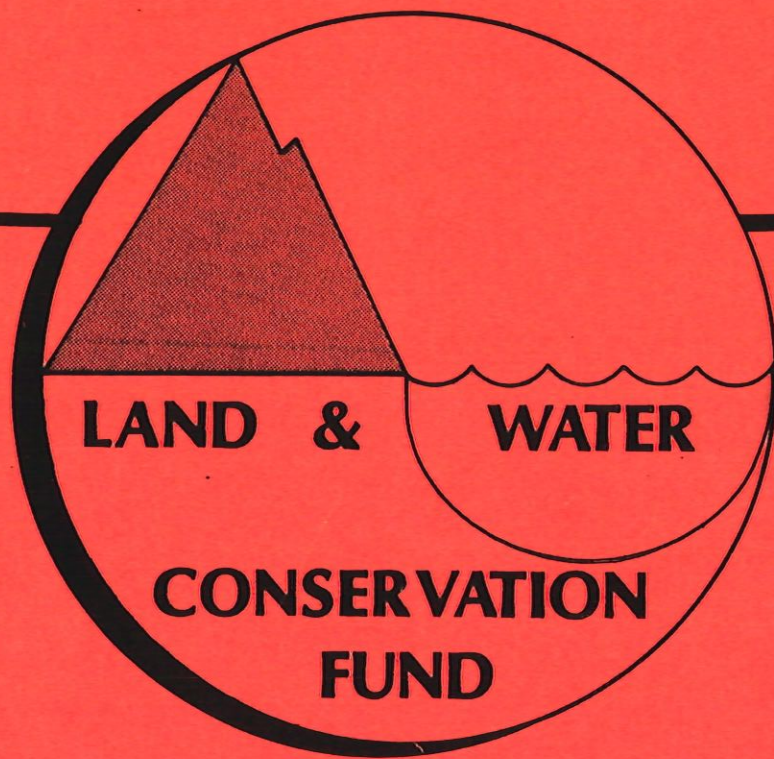
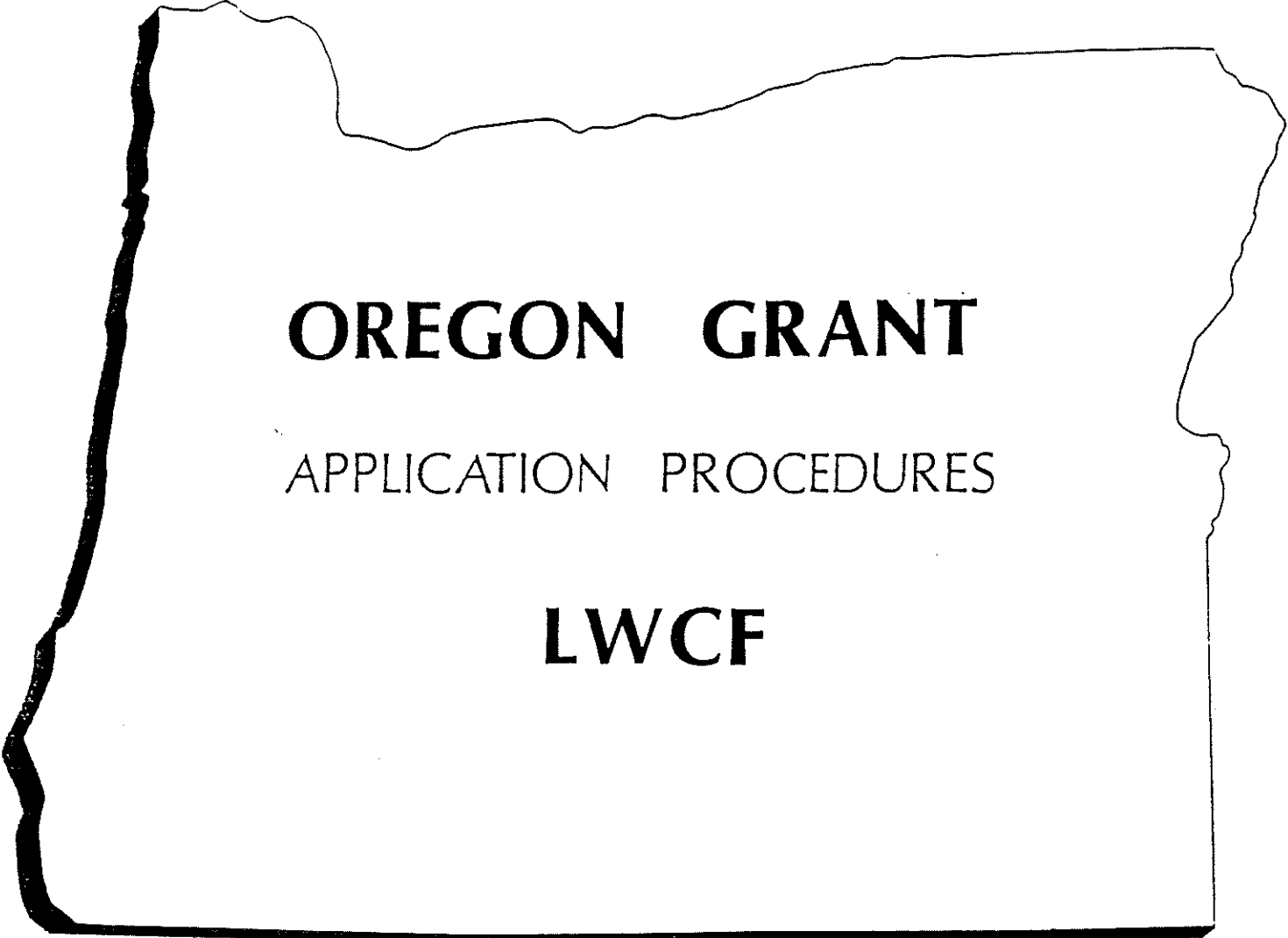


OREGON

APPLICATION PROCEDURES



**OREGON STATE PARKS DIVISION
PLANNING AND GRANTS**



OREGON GRANT

APPLICATION PROCEDURES

LWCF

The Oregon State Parks & Recreation Division receives Federal funds from the National Park Service, Department of the Interior, under provisions of the Land and Water Conservation Fund Act of 1965 (Public Law 88-578). Accordingly, all of its public programs and activities must be operated free from discrimination, on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against or who would like further information regarding the prohibition of discrimination should write to:

Director, Equal Opportunity Program
U.S. Department of the Interior
National Park Service
P.O. Box 37127
Washington, D.C. 20013-7127

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SECTION 1 THE PROGRAM

THE PROGRAM
SECTION 1 - THE PROGRAM

1.1 HISTORY OF THE PROGRAM

In September 1964, the U.S. Congress approved and the President signed Public Law 88-578, the Land and Water Conservation Fund Act of 1965. This law, as amended, utilizes funds derived from sale of Golden Eagle passes to federal recreation areas, offshore oil leases and sale of surplus U.S. Government property as a grant program for the acquisition of land and the development of public outdoor recreation facilities. The grants are limited to 50% of the total cost of the project. The federal administering agency is NPS, the National Park Service, Department of the Interior. Including the 1986-87 Fiscal Year, Oregon has received \$45,570,600 through this program.

The Oregon State Parks and Recreation Division, Office of the State Liaison Officer, is responsible for the distribution of Federal Land and Water Conservation Fund (LWCF) monies to state agencies and eligible local governments and for the process for establishing the priority order in which local government projects shall be funded. For more information contact the Oregon State Parks & Recreation Division, Grants Section, 525 Trade Street SE, Salem, OR 97310 378-5006

The Oregon Outdoor Recreation Committee (OORC), composes of nine members appointed by the Division Administrator who meet annually to review and prioritize project applications.

1.2 ELIGIBILITY OF APPLICANTS

Eligible agencies are those whose governing body is elected at general elections and who, under state law, have an obligation to provide public recreation facilities. In Oregon the eligible agencies include cities, counties, park and recreation districts and port districts. Ineligible agencies include schools, non-profit organizations, service clubs and non-park special service districts such as irrigation or fire districts.

1.3 TYPES OF ELIGIBLE PROJECTS

The funds allocated under this program are available for the acquisition of land or for the development of public outdoor recreation facilities. The types of facilities that are eligible include, but are not limited to, ball fields, picnic facilities, boating facilities and playground areas, and for support facilities such as restrooms, parking lots, landscaping and maintenance buildings. An exception to the "outdoor" rule has been made for swimming pools and ice skating rinks, which must meet certain criteria in order to be eligible for funding. Ineligible facilities include, but are not limited to, any indoor facilities (except swimming pools or ice skating rinks), park managers residences, maintenance equipment, or commercial-type amusement centers.

SECTION 2 PROCEDURES FOR FILING AN APPLICATION

SECTION 2 - PROCEDURES FOR FILING AN APPLICATION

2.1 APPLICATION FORMS

The forms you will use to apply for federal funds are found in Section 5, and consist of a Park Acquisition and Development Checklist, Project Sponsor Certification, Grant Application, Estimate of Development Cost and Schedule, Civil Rights Assurance of Compliance (DI-1350), and Oregon Project Notification and Review System (Clearinghouse) forms.

The application package will consist of these forms plus the necessary attachments. All projects will include a program narrative, environmental assessment, vicinity map, boundary map, and park master plan. Development projects will require property deed or lease agreement, permits (if required) and construction plans and specifications. Acquisition projects will require an assessors map, preliminary title report and an appraisal.

The application package should consist of one copy of each required form and attachments. You should include 10 copies of the vicinity map and project boundary maps and make sure it conforms to Section 2.4.1.

Applications should be sent to:

State Parks and Recreation Division
Grants Section
525 Trade Street SE
Salem, OR 97310

2.2 THE PROGRAM NARRATIVE

The Program Narrative is a description of the proposed project including: Who is to do it, how the work is to be done, and who will use the finished product. The narrative reports must consider all of the following points; the report for an acquisition must be based on the expected use of the property after it is developed.

1. Describe the work to be done, such as "acquire land" or "develop picnic facilities." Who will benefit from the project? Who will be the primary users? Who will operate and maintain the facility?
2. How, why and by whom was the project selected? State the needs, problems or desires which led to its selection. What is the economic and social impact of the project? Cite any plans or planning studies which were utilized to reach this decision. Be sure to cite references to needs as identified in the State Comprehensive Outdoor Recreation Plan. Was there citizen involvement?
3. Describe any unusual features of the project, such as innovative design, conservation procedures, unusual site conditions, etc. Are historic sites involved? Is the site in a flood plain or does it involve a wetland? (See Glossary for definitions.)

4. Who will do the work and who will supervise the crews? Are there any volunteers or donations involved? What are the target dates for completion of the various units of the work?
5. Describe the topography and present development on the site. Describe the surrounding area and the mutual influences between the park and its surroundings. What effect does this project have on previously approved or proposed future projects in this park?
6. Is the proposed work in conformance with the park master plan? Has a master plan been developed for land to be acquired? If not--why not?
7. Note any existing utility lines, either overhead or underground, and show them on the site map. Give schedule for relocating or burial of any overhead utility lines. Show any previous NPS projects, identify by NPS numbers.
8. For acquisition projects, give the proposed date of the start of development. Describe any interim uses prior to start of development. Give information on the disposition of any buildings or other improvements on the property.

2.3 THE ENVIRONMENTAL ASSESSMENT

The Environmental Assessment (EA) is a document that must be written separate from the remainder of the application. It is often separated from the application so must stand on its own merits. The EA must be objective and written from the point of view of what effect the project will have on the environment, both inside and outside the park boundary.

The EA should be prepared using the following instructions:

Pertinent information of sufficient scope and depth must be provided so that it is possible to assess the impact of the project and determine whether or not an environmental impact statement is needed. Whenever possible, impact should be quantified (e.g., number of acres of trees to be removed, cubic yards of fill to be required, etc.). For project sites with property rights outstanding, such as utility easements, the standard environmental information must be expanded to specifically explain how the outstanding rights are to be dealt with and how the participant plans to assure that the environment will not be affected significantly by those rights. The three points to be covered are:

1. The Proposed Action. Include a description of the proposed action, a statement regarding the need for it, a description of what the action is designed to accomplish, location of the project, its scope, the level of impact-causing activities associated with the project, when the action is to take place, and, if applicable, its relation to other Federal, State, or local projects and proposals. Cite other Federal actions (i.e., 404 Permit, etc.). Include a map.

2. Alternatives to the Proposed Action. This section will include a brief description of alternatives as required by NEPA Section 102 (2) (E), which states:

Study, develop, and describe appropriate alternatives to recommend courses of action in any proposal which involves unresolved conflicts concerning alternative uses of available resources;

The environmental impacts of the proposal and the alternatives should be presented in comparative form and should define the issues, pros and cons of a reasonable range of alternatives, and provide a clear basis for choice between them by NPS and the public.

3. Environmental Impacts of Proposed Action. Succinctly describe those environmental elements which would be affected. Discuss anticipated impacts on the following elements and any means to mitigate adverse environmental impacts:

- land use (project site and surrounding area)
- fish and wildlife
- vegetation
- geology and soils
- mineral resources
- air and water quality
- water resources/hydrology
- historic/archaeological resources
- transportation/access
- consumption of energy resources
- socio-economic effects

"Impacts" are defined as causing direct or indirect changes in the existing environment, whether beneficial or adverse, which are anticipated as a result of the proposed action or related future actions. To the extent appropriate, the document will discuss impacts to the action, including environmental damage which could be caused by users, upon the physical and biological environment as well as upon cultural, aesthetic and socio-economic conditions. Elements of impacts which are unknown or partially understood should be indicated. Any off-site impacts, such as increased traffic on neighborhood roads or increased noise levels in surrounding areas, should be described.

4. A listing of agencies and persons contacted.

2.4 ATTACHMENTS AND ASSURANCES

1. The most important attachment to the project application is the park master plan and project boundary map. This map shows the relationship of past, present and future work, and the boundary of the property which is subject to the conversion prohibition of Section 6f(3) of the L&WCF Act.

The significance of the project boundary is that Section 6f(3) of the I&WCF Act requires that all land within the project boundary be dedicated in perpetuity to public outdoor recreation. Any use of property within that boundary for any other use will require replacement of the converted land (see also Section 3.7).

The requirements for this map are:

- a. Use a sheet size 8 1/2" x 11" or a multiple thereof, to allow filing. The maximum size of any one sheet should be 22" x 34".
 - b. The map must be to scale. The scale should be sufficient to clearly distinguish the pertinent features of the park.
 - c. The scale, park name, date and a north arrow must be shown. The scale should be a bar graph because reductions are sometimes made.
 - d. The park boundary line must be shown and if there is a difference between the park boundary and project boundary, this line must be shown.
 - e. All existing facilities, including utilities, must be shown. If there has been a previous NPS grant, that project number should be shown on the map, indicating the funded items.
 - f. Indicate all of the facilities to be included in this project, either by appropriate notes or by color coding.
 - g. All proposed facilities to be constructed in the future must be shown. The future facilities may be shown to scale or by notes indicating general use areas such as "future picnic area" or "future ball field."
2. When a building is to be constructed or remodeled as part of the project, a floor plan and either an elevation or perspective view of the structure must be included in the application. The primary purpose of these drawings is to insure that access to the handicapped is provided and that the architecture of the building fits into the overall park design.
 3. For all projects, a DI-1350 form must be signed by the project sponsor. The signing of this form assures that the sponsor will conform to all of the requirements of Title VI of the Civil Rights Act of 1964; these requirements provide that there shall be no discrimination on the basis of race, color or national origin.
 4. If the property is leased by the sponsor, a copy of the lease agreement must be included in the application. If the property is owned in fee by the sponsor, the date of acquisition must be given. A certified statement that the sponsor now owns the property is not adequate to insure conformance with PL91-646. (See Section 2.6.4).

If the land is leased from a Federal agency, the time remaining on the lease must be at least 25 years. If the land is leased from other than a Federal agency, the lease must include provisions which adequately safeguard the perpetual use requirement of the L&WCF Act.

5. All projects must be submitted by the sponsor to both the local COG and the state clearinghouse for reviews. Copies of the clearinghouse responses must be included in the application package. See Appendix 5.7 for Review Procedures and applications.
6. The State will provide a cost estimate sheet for the convenience of the sponsor. The purpose of the estimate sheet is to insure that the estimated cost includes all of the proposed work items and to itemize the donations.
7. All development project sponsors must furnish a set of construction plans and specifications for the work to be done. The cost of preparation of these plans may be included in the total project cost. The general rule is to provide the State with the same documents used by the construction crew to build the project.
8. All acquisition projects require that an appraisal be made for each parcel of land to be acquired. These appraisals must be made in conformance with PL91-646 (see Section 2.6.4) and the Uniform Appraisal Standards for Federal Land Acquisitions. A preliminary title report to determine encumbrances that may effect the value and recreation use of the property must also be submitted. The cost of this appraisal must be borne by the sponsor and cannot be included in the project cost.

2.5 DONATIONS

Donations of land, labor, equipment rental or materials may be used as all or a portion of the sponsor's matching share of an NPS project. Any donations must be approved by the State prior to the acceptance of the donation by the project sponsor. The value of eligible donations cannot exceed the local share of the project.

Procedures for the valuation and applicability of donations are:

1. Land: A donation of land may be partial or total; a partial donation is known as a "bargain sale" and must be handled the same as a total donation. The value of the total property is determined by an appraisal made by an appraiser who must be approved in advance by the State. The appraisal is then reviewed by the Right of Way Section of the State Highway Division, and then forwarded to NPS for their review and approval. After receipt of the NPS approval, the sponsor can accept or acquire the land involved in a total or partial donation.

The appraisal must meet the Uniform Appraisal Standards for Federal Land Acquisitions.

2. Labor Materials and Equipment: Donations can be included in the project cost, if approved in advance by the State. NPS approval of donations other than real estate is not required. The sponsor of the project must request approval of the donations prior to acceptance of the donations by the sponsor. The following information must be included in the request for approval:
 - a. Labor: The source, estimated hours, the rate or rates at which the labor will be credited to the project and the source of the rates. There are two basic methods of determining the rates to be used. The one which is the easiest to justify and requires the least documentation is to use the current federal minimum wage for all donated labor. The other is to use the rate that the sponsor would pay that individual for the work being done. For instance, a plumber working with a crew placing an irrigation system may be credited at the rate the plumber would receive if he were a city employee. But the same plumber on the same project helping build a rail fence would be credited at the rate the city would pay for general labor. The rates for labor are the "bare" rates -- no payroll additives, shop charges or other surcharges may be included, since none are paid by the sponsor.
 - b. Materials are evaluated at the time of acceptance of the donation, and will be credited to the project at the lesser of the following: cost to the donor (if this can be determined) or the market value at the time of donation. There may be times when the cost to the donor cannot be easily determined; these would include topsoil, poles or other materials held by the donor for a long time. In these cases, only the market value at the time of donation need be given.
 - c. Equipment rental may be credited at either of the following rates: If the donor has adequate cost records to determine the hourly rate, then that rate should be used. If not, the rate at which the sponsor could rent the equipment in question should be used. The rental rates must be without operator; the operator must be shown separately as donated labor.

Forms for estimating the value of donations, and for keeping track of donations actually received, are available from State Parks.

2.6 IMPACT OF OTHER FEDERAL ACTS AND LAWS

The Land and Water Conservation Fund program is a single-purpose grant program for the acquisition of land and the development of public outdoor recreation facilities. However, when federal funds are used, all applicable federal laws must be complied with by the applicant. A statement on the effect of the project on each of these subjects must be included in either program narrative or the environmental assessment, as appropriate. During the preparation of the application and prosecution of the project, the applicant must comply with the following acts and executive orders:

Section 2.5.2 Cont.

1. Architectural Barriers Act of 1968 (P.L. 90-480)
2. The National Historic Preservation Act of 1966, as amended (P.L. 89-665, 16 U.S.C. Sec. 470 et. seq.)
3. The National Environmental Policy Act of 1969, as amended (P.L. 91-190, 42 U.S.C. 4321 et. seq.)
4. The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (P.L. 91-646)
5. Executive Order 11288, concerning prevention, control and abatement of water pollution
6. Flood Disaster Protection Act of 1973 (12 U.S.C. Sec. 24, 1701-1 Supp.) (42 U.S.C. Sec. 4001 et. seq.) and Executive Order 11296, Evaluation of Flood Hazard in Locating Federally Owned or Financed Buildings, Roads, and other Facilities and in Disposing of Federal Lands and Properties
7. The Endangered Species Act of 1973 (P.L. 93-205) (16 U.S.C. Sec. 1531 et. seq.)
8. Executive Order 11246, Equal Employment Opportunity and Title VI of the Civil Rights Act of 1964 (P.L. 88-352, 42 U.S.C. Secs. 2000d to 2000d-4)
9. Section 504, the Rehabilitation Act of 1973, (P.L. 93-112), as amended
10. Executive Order 12432, Minority Business Enterprise Development
11. Office of Management and Budget Circular A-128. Implements the Single Audit Act of 1984 (P.L. 98-502). This circular supersedes Attachment P of OMB Circular A-102, effective July 18, 1985.
12. The Clean Air Act, as amended (42, U.S.C. 7609) and the Clean Water Act (33 U.S.C. Secs. 1288, 1314, 1341, 1342, 1344)
13. Executive Order 11988, Floodplain Management and Executive Order 11990, Protection of Wetlands.

The manner in which these federal laws impact the program are:

1. Architectural Barriers Act of 1968 (P.L. 90-480)
All facilities constructed within the project boundary of any NPS-funded project must be accessible to the physically handicapped. A copy of the ANSI specifications on this subject is available from State Parks Division upon request. Any project application submitted which does not conform to these specifications will be returned for corrections.
2. The National Historic Preservation Act of 1966 (P.L. 89-665)
The program narrative for any project near a property or site listed on, or eligible for inclusion on, the National Register of Historic Places must explain the relationship the project will have to the historic place. The State Historic Preservation Office will be notified by State Parks of the potential project. The State Historic Preservation Office will then determine whether the project has no effect, no adverse effect, or an adverse effect.

If the proposed project has either no adverse effect or an adverse effect, the project must be submitted to the national office for an opinion as to whether the project should be funded.

All projects that disturb the ground must be elevated in terms of effect on possible archeological sites. Assistance in determining the probability of such sites is available through SHPO or any of several institutions of higher education in the state.

3. National Environmental Policy Act of 1969 (P.L. 91-190)
There must be an environmental assessment written for all projects that might have an effect on the environment. Please refer to Section 2.3 of this manual for details of this requirement.
4. The Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (P.L. 91-646)
If any portion of the property within the project boundary was acquired within two years prior to the filing of an application for funding, all of the provisions of PL91-646 must have been followed by the acquiring agency. This holds true regardless of whether NPS funds were used for the acquisition. If the property has been acquired within the past two years, without using NPS funds, the applicant must certify that all of the provisions of this law were followed. The applicant may be required to supply the required documents before the project is approved for funding. The acquisition of land from another public agency need not follow these requirements. The provisions of PL91-646 do not apply on sites acquired more than two years previous, unless steps had been taken to obtain Federal funds for development at the time the acquisition was made. See Section 3.8 for a check list of the required documentation.
5. Executive Order 11288 pertaining to the prevention, control and abatement of water pollution. Projects that have an adverse effect on water quality will not be funded.
6. Flood Disaster Protection Act of 1973 (P.L. 93-234), and Executive Order 11296.
Any facility subject to flood damage built with NPS funds in a flood plain must be insured against loss by flooding through the National Flood Insurance Program. The types of facilities that must be insured include restrooms, bathhouses, administration buildings, maintenance buildings, and interpretive centers. Types not requiring insurance are roads, parking lots, open picnic shelters, playground equipment, and outdoor swimming pools.

Neither of these lists is complete, but the types of facilities are representative in each category. Maps showing the flood hazard areas are available through HUD or through the county planner's office.

7. Endangered Species Act of 1973 (P.L. 93-205)
If any proposed project site, for either acquisition or development has within its boundaries any species of endangered plant or animal, the effect of the project must be discussed in the environmental assessment. Projects having an adverse effect on endangered species will not be funded.

8. Executive Order 11246, Equal Employment Opportunity and Title VI of the Civil Rights Act of 1964 (P.L. 88-352)
All of the provisions of Title VI of the Civil Rights Act of 1964 and Executive Order 11246 implementing the Act must be followed. These requirements include the following:

- a. An assurance of compliance (form DI-1350) must accompany each application for both acquisition and development projects. This form must be signed by the head of the governing body of the sponsoring agency or by the individual designated by the governing body.
- b. All construction contracts exceeding \$10,000 total cost must include, as part of the contract specifications, the following paragraphs from the NPS General Provisions:

During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, sex, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246 as amended (3CFR 169 (1974)), and shall post copies of notices in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. 11246, as amended, and the rules, regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order No. 11246, as amended, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246, as amended, or by rule, regulations, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246, as amended, so that such provisions will be binding upon each subcontractor or vendor.

The contracting agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

- c. All advertisements for bids for projects expected to cost more than \$10,000 total cost must include in the notice to prospective bidders that federal funds are being used on the project. A typical notice would be:

All prospective bidders are hereby notified that federal funds provided under the Land and Water Conservation Fund Act of 1965 will be used to finance a portion of the project. Affirmative action to conform to the provisions of Executive Order 11246 which implements Civil Rights Act of 1964 will be required of the successful bidder.

- d. All contracts let in hometown or imposed plan areas must be in conformance with the requirements of the area plan. In Oregon, only Clackamas, Multnomah and Washington counties are in a plan area. Certification of compliance with the plan will be required from all contractors in these counties. The EEO rules are available through State Parks.

- e. All proposed contracts exceeding \$1,000,000 in total cost must receive clearance from the State prior to the awarding of the contract.
- 9. Section 504, the Rehabilitation Act of 1973 (P.L. 93-112), as amended. Section 504 of the Rehabilitation Act, as amended in 1978, essentially prohibits discrimination against disabled persons in all programs, services and activities provided by Federal Financial Assistance or by any Federal agency. In essence, the law requires that programs and facilities be, to the highest degree feasible, readily accessible to and usable by all persons who have a disability, including mobility, visual, hearing, or mental impairments.
- 10. Minority Business Enterprise Development
The State or recipient shall comply with Executive Order #12432, Minority Business Enterprise Development as follows:

It is national policy to place a fair share of purchases with minority business firms. The Department of the Interior is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. In particular, recipients should:

1. Place minority business firms on bidder's mailing lists.
2. Solicit these firms whenever they are potential sources of supplies, equipment, construction, or services.
3. Where feasible, divide total requirements into smaller needs, and set delivery schedules that will encourage participation by these firms.
4. Use the assistance of the Minority Business Development Agency of the Department of Commerce, the Small Business Administration, the Office of Small and Disadvantaged Business Utilization, DOI, the Business Utilization and Development Specialists who reside in each DOT bureau and office, and similar State and local offices, where they exist.

For any project involving \$500,000 or more in grant assistance (except for projects involving acquisition only) the State or recipient shall submit, prior to the commencement of construction and every fiscal year quarter thereafter (until project completion), reports documenting the efforts to hire minority business firms. These reports will be submitted to the National Park Service Regional Office by the 15th of the month following the end of each fiscal year quarter (January 15, April 15, July 15, October 15). Data on Women-Owned Business Enterprise (WBE) are not required. Regions will transmit the reports to the WASO Recreation Grants Division, where they will be consolidated and forwarded through the Assistant Director, Minority Business Enterprise to the Department of the Interior Office of Small and Disadvantaged Business Utilization (OSDBU). Regional reports are due by the end of the month following each fiscal year quarter.

Section 2.6.8e Cont.

11. Single Audit Act of 1984 (P.L. 98-502), and OMB Circular A-128
This Act establishes audit requirements for State and local governments that receive Federal aid, through the U.S. Department of the Interior and defines the responsibilities for implementing and monitoring those requirements.

The Act requires the following:

- a. State or local government that receive \$100,000 or more a year in Federal financial assistance shall have an audit made in accordance with this circular.
 - b. State and local governments that receive between \$25,000 and \$100,000 a year have an audit made in accordance with this Circular, or in accordance with Federal laws and regulations governing the programs they participate in.
 - c. State and local governments that receive less than \$25,000 a year shall be exempt from compliance with the Act and other federal audit requirements. These State and local governments shall be governed by audit requirements prescribed by State or local law or regulation.
 - d. Nothing in this paragraph exempts State or local governments from maintaining records of Federal financial assistance or from providing access to such records to Federal agencies, as provided for in Federal law or in Circular A-102, "Uniform requirements for grants to State and local governments."
12. Executive Order 11988, Flood Plain Management and Executive Order 11990, Protection of Wetlands.

Because floodplains and wetlands are unique in character, special considerations must be taken. See attached "Flood plain and Wetlands" from LWCF Grants Manual.

FLOODPLAINS AND WETLANDS

LWCF Grants Manual
Chapter 650.7

1. General. Project sponsors must comply with the provisions of 44 CFR 6342 Section 2 on all proposals involving floodplains and wetlands.
 - A. All projects must comply with the intent of Executive Orders 11988, "Floodplain Management", and 11990, "Protection of Wetlands", and with the U.S. Water Resources Council's "Floodplain Management Guidelines for Implementing E.O. 11988" (43 FR 6030, February 10, 1978).

- B. The ultimate authority for all States in the floodplain management decisionmaking process remains with NPS.
 - C. The environmental assessment for all development projects must state whether or not there will be an impact on floodplains or wetlands.
2. Development Projects. Direct or indirect L&WCF support of floodplain development or construction in wetlands shall be avoided when there is an adverse impact on the natural and beneficial values and practicable alternatives exist.
- A. When activities must be carried out in a floodplain or wetland, the work must be done in a manner which, to the extent possible, will minimize harm to lives, property and floodplain values, and will restore and preserve the natural and beneficial values served by floodplains and wetlands.
 - B. Flood proofing of eligible structures shall be eligible for financial assistance from the Land and Water Conservation Fund.
3. Acquisition. Acquisition projects for the future establishment of facilities which do not have long-or short-term adverse impacts associated with the occupancy or modification of floodplains or wetlands, nor direct or indirect support of floodplains or wetlands development are excluded from these guidelines. However, these guidelines do apply to acquisition projects for future development which may have the potential for resulting in such impacts or support.
4. Excluded Facilities. Certain types of recreation development often are consistent with the intent of the Executive Orders. These types of developments will be reviewed, and when it is found that they neither have long-or short-term adverse impacts associated with the occupancy or modification of floodplains or wetlands, nor do they directly or indirectly support floodplains or wetlands development, they are excluded from any further compliance with these guidelines. These are the following:
- A. Scenic overlooks and trails.
 - B. Boating facilities excluding boat houses.
 - C. Picnic and camping facilities including appropriate sanitary and other support facilities needed to provide full utilization of recreational developments, provided that flood resistance is a consideration in their design and construction.
 - D. Outdoor water facilities such as beaches (not excluded for wetlands).
 - E. Entrance, access and internal roads to existing parks (not excluded for wetlands).

- F. Outdoor shooting ranges (not excluded for wetlands).
 - G. Outdoor play courts (not excluded for wetlands).
 - H. Beautification of an existing outdoor recreation area, such as landscaping.
 - I. Parking lots for existing parks, sports and playfields, and playgrounds (not excluded for wetlands).
 - J. Wildlife observation stations and environmental education facilities, excluding buildings.
5. Environmental Documentation. The environmental documentation shall include:
- A. The extent of the direct and indirect impacts associated with direct and indirect support of floodplain and wetlands development.
 - B. Measures to be taken to minimize harm to lives and property, and to the natural and beneficial floodplain values; and to restore and preserve the values served by floodplains and wetlands.
 - C. Alternative actions and locations considered in the event of an adverse impact.
 - D. Assurance that all State and local floodplain and wetlands regulations and standards are being met.
 - E. A map delineating the floodplain or wetlands.
6. Public Involvement. The project sponsor shall ensure that the general public has an opportunity for early review of the development plans or proposals for actions affecting floodplains or wetlands. In all cases, except for the excluded facilities listed in 650.7.3 and 650.7.4, a press notice will be published in the local media briefly describing the proposed action and urging members of the public to provide their views to the sponsor. It shall expressly state that the proposed site is in a floodplain or wetland.
7. Intergovernmental Review. The project sponsor or the State shall include a copy of the press notice and public comments received, the Notice of Intent and the proposed environmental assessment with the project information normally submitted to the State's Intergovernmental Review. System established under Executive Order 12372. In addition to the documentation required in 650.7.5 above, the assessment/EIS shall explain why the proposed action is to be taken in the floodplain or wetland and include a simple location map.

8. Adverse Comments. When adverse comments have been received as a result of the Intergovernmental Review process or early public review, the NPS Regional Office will forward documents to the agencies listed below.
 - A. Environmental Protection Agency.
 - B. Federal Insurance Administration.
 - C. Fish and Wildlife Service.
 - D. U.S. Geological Survey.
 - E. Bureau of Reclamation (western States only - Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming).
 - F. Corps of Engineers.
 - G. Soil Conservation Service.
 - H. State Water Resources Agency.
 - I. State Liaison Officer (when appropriate).
 - J. State Historic Preservation Officer (when appropriate).
 - K. Intergovernmental Review System Single Point of Contact (when appropriate).
 - L. State Wildlife Agencies (when appropriate).
 - M. Appropriate public interest groups.
9. SCORPS. In accordance with Section 2(c) of Executive Order 11988, "Floodplain Management", Statewide Comprehensive Outdoor Recreation Plans must, to the extent possible, address the requirements and goals of the executive orders on floodplain and wetlands.
10. Certification. States may document their compliance with these Executive Orders through the usual certification process for streamlined and consolidated project applications (see Chapter 660.1).
 - A. For all other L&WCF project application, the State will be granted the authority to simply certify project compliance with these guidelines, without having to maintain compliance documentation for each project if it can demonstrate that its floodplain and wetlands State laws are equal to or stronger than the Executive Orders. The NPS Regional Office will make this determination.

- B. Finally, in order to eliminate duplication of paperwork and procedures, existing State and Local procedures may be utilized to meet all or part of the requirements of the Orders. The procedures used, however, must be at least equivalent to those mandated by the Orders and Water Resources Council's February 10, 1978 guidelines.

Compliance with the project sponsors floodplain procedures must be fully documented for each project. NPS Regional Offices shall determine if a State or one of its political subdivision's procedures meet the equivalency requirement.

11. Records. In accordance with the documentation requirements of the Executive Orders, records will be kept by the States on the type and number of projects affected by these floodplain or wetlands regulations, the number of acres affected and the mitigation made.

2.7 SCHOOL-PARK JOINT USE FACILITIES

The joint use of property by schools and parks is encouraged, but there are several special considerations that must be taken into account before a project can be funded on school property. The proposed facilities cannot be part of the normal and usual program and responsibility of the school district, and cannot be used to meet the physical education and athletic requirements of the school. The land within the project boundary must be owned by or leased to the project sponsor. Leases from one public agency to another must include provisions which adequately safeguard the perpetual use requirement of the L&WCF Act. A school district cannot be a project sponsor. (See Section 2.8 Leased Land Policy)

The lease or joint-use agreement shall include a schedule of use which would allow the school to use the facilities on a scheduled basis. A copy of the lease or agreement must be submitted with the project application. That document should include a schedule of use, with

provisions for unscheduled uses by either of the agencies.

The site of a joint-use facility must be permanently signed to indicate that the primary use of the facility is by the public, with the school having the authority to schedule classes or events at specified times. Offsite signing is also required if such is necessary to direct the public to the recreation facilities.

2.8 NATIONAL PARK SERVICE POLICY FOR LAND AND WATER CONSERVATION FUND (LWCF) PROJECTS ON LEASED LAND

Projects for the acquisition and development of facilities on land leased other than the federal government will be ineligible for fund assistance except as noted below.

The only exception to this policy will be leases from one public agency to another that include provisions which adequately safeguard the perpetual

use requirement of the LWCF Act. Such safeguards may include a clause in the lease which assures retention of the property in recreation use after expiration of the lease, joint sponsorship of the proposed project, or some other agreement whereby the lessor agrees to assume perpetual compliance responsibility for LWCF fund assisted area in the event of default by the lessee or expiration of the lease.

This policy does not render existing lease agreements illegal and is not intended to have retroactive application. This policy does not relieve the project sponsor of fulfilling the conversion requirements of Section 6(f)(3) of the Act including the provision of replacement of land in the event a conversion is proposed or takes place during the term of the lease on an existing project. The conversion of the original lease can be replaced with a leasehold interest for a period of time which is not less than the time remaining on the original lease and which fulfills the recreation commitment agreed to in the original lease agreement. Those lease agreements containing a renewal clause exercised by the lessee must be reviewed on a case-by-case basis to determine if and when our LWCF compliance responsibility ceases.

**SECTION 3 PROJECT PROSECUTION
AND POST COMPLETION
REQUIREMENTS**

SECTION 3 - PROJECT PROSECUTION, AMENDMENTS AND POST-COMPLETION REQUIREMENTS

3.1 INSPECTIONS

All NPS funded projects are inspected by the State prior to the submittal of the project application to NPS for approval. At this time, photos are made to record the site conditions at the time of acquisition or prior to the start of development. Final on-site inspections will be made in accordance with project agreement prior to final reimbursement.

3.2 STATE-LOCAL AGREEMENTS

When the project sponsor is notified to proceed with the project, a copy of the signed state-local agreement is sent to the sponsor. A sample of this agreement is included in the appendix. CONSTRUCTION WORK DONE OR LAND ACQUIRED PRIOR TO STATE APPROVAL OF THE PROJECT IS INELIGIBLE FOR REIMBURSEMENT.

3.3 SIGNING OF PROJECT SITE

All development projects with a total cost in excess of \$500,000 must be signed during construction to indicate the nature of the project, the source of the funds being used, and the name of the project sponsor. A typical construction sign is shown on the attachment; the sign must be at least 2'x3' in size.

All sites at which NPS funds have been used must be permanently signed to indicate NPS participation. The sponsor may use a painted or routed sign, or may utilize one of the pre-printed signs furnished by the State. The use of the NPS logo on the sample in the appendix is encouraged but not required. All combination projects with a development phase of \$500,000 or more in total cost.

All school-park sites (see section 2.7) must be signed to designate the times when the school is allowed to use the facility. Also, if necessary, off-site signing should be provided to direct the public to public recreation sites located on school grounds.

An Equal Employment Opportunity poster must be displayed on all federally assisted construction sites.

3.4 AMENDMENTS

Amendments may be made to the project agreement to delete work items, add time to the project period or to decrease funds allocated to the project. Amendments that increase the local project cost will generally not be allowed. Any scope changes that significantly change the project from what was reviewed and prioritized by the Oregon Outdoor Recreation Committee will not be allowed and may jeopardize grant funds. Requests to add time

must be approved prior to the expiration of the approved project period. Deletion of scope items will reduce federal participation of the project and must be amended prior to final billing. All requests must be submitted in writing to the State.

3.5 BILLINGS AND AUDITS

Project sponsors may submit billings on any project at any time after a significant portion of the project is completed. Billings must be submitted at least once a year on all active projects, but not more than four billings per project are recommended.

The documentation for submission of a billing includes one copy of the state-furnished billing form and a letter of transmittal which includes a "status report" on the project. This status report is a simple statement of what has been done to date and a schedule for further work on the project. Use of percentage figures is encouraged. Billings for acquisitions must be accompanied with the documentation required by the attached checklist. (See Section 3.8.) Submittal of backup documents for partial billings on development projects is not required.

The final billing on a development project is audited by the State prior to final reimbursement to the project sponsor. If sufficient data is submitted to the State, a "desk audit" is made; this is the normal procedure on acquisition projects. On some development projects, where all of the work is done under a single contract and there were only a few payments, it is possible to provide adequate documentation for a desk audit. However, on most development projects, a field audit is required. There is no charge to the local agency for this audit--it is included in the \$1,000 state administration cost added to the project before it is forwarded to NPS for approval.

All development projects are inspected by the state prior to payment of the final bill.

Project sponsors must conform to the Single Audit Act of 1984 (P.L. 98-502), and OMB Circular A-128. See Section 2.6.11 for specific detailed information.

3.6 POST-COMPLETION INSPECTIONS

Post-completion inspections are required on all projects, both acquisition and development. The first post-completion inspection will be completed five years after final payment is made and then at 5 year intervals afterward. The purpose of these inspections is to insure that the park is operated and maintained in a satisfactory manner; these inspections are not limited to the items funded by NPS but include all of the facilities and area of the park. Adequacy of maintenance, access to the park (including access for the handicapped), availability to users, NPS recognition by proper signing and possible conversions to non-recreation uses are the primary items checked in the inspection.

3.7 CONVERSIONS, USE OF THE PROPERTY

All property acquired or developed with assistance from the L&WCF must be dedicated in perpetuity exclusively to public outdoor recreation use. The affected area is denoted by the "project boundary" as shown on the map or maps accompanying the application, and is normally the boundary of the park that is to be acquired or developed. The project boundary cannot be less than the area acquired with L&WCF money, but sometimes is less than the total area of the park on development projects. If there is an exclusion, the reason for making the exclusion must be stated on the map and explained on the Program Narrative. Typical reasons would include an existing or proposed community center within the park, or lease of land to a non-profit organization (such as Boy Scouts) in a large wilderness type park.

3.8 DOCUMENTATION REQUIRED FOR FINAL BILLING OF AN ACQUISITION

One copy of each of the following documents (if applicable) must be submitted with the billing for each parcel of land acquired.

1. First contact with the owner. If verbal, note date and subjects discussed, owner's reaction to sponsor's interest in the acquisition.
2. Ten year history of conveyance. This is frequently included in the appraisal report.
3. Invitation to the owner from the appraiser or sponsor to accompany the appraiser while he is viewing the property for the purpose of making the appraisal.
4. Written offer to purchase at not less than the review appraisal amount.
5. A properly documented waiver of just compensation, if required.
6. If purchase price exceeded the fair market value, is there adequate justification.
7. A copy of the deed to the purchasing agency.
8. A copy of the check or voucher (both sides) used to make the payment.
9. A copy of the title insurance policy.
10. A copy of the vesting deed. This is the deed or deeds under which the seller acquired the property.
11. One copy each of any easements that affect the property, and a statement as to the effect of each easement on the proposed recreation use of the property.
12. One copy each of any deeds referred to in the deed to the purchaser, the vesting deed or in the easements. These are called reference deeds.

13. A statement of unrecorded interests is required for each parcel. Unrecorded interests include such items as unrecorded sales contracts, leases, or easements, which are not part of the public record. The title insurance policy includes all of the recorded instruments, and therefore, is not necessary to repeat. Also a statement of the effect on recreation utility of any unrecorded interests discovered must be made.
14. A statement on any liens by public agencies that are not included in the title reports.
15. One copy each (if applicable) of an assessor's map of the property, any official plats, county or private land surveys or documents pertaining to the vacation of platted streets or roadways.
16. A statement of payments made to the seller for relocation and other allowable costs in conformance with P.L. 91-646.

If any of these documents have been previously submitted, they need not be resubmitted, but such prior submittals should be mentioned in the letter of transmittal.

3.9 Documentation Required for Audits of National Park Service Projects

NOTE: DEPENDING ON THE PROJECT, SOME ITEMS MAY NOT BE REQUIRED. FOR EXAMPLE: ITEMS 2,3,4 AND 6 WOULD NOT APPLY TO A PROJECT COMPLETED ENTIRELY BY YOUR OWN EMPLOYEES.

- ** 1. Project ledger sheet or other detailed listing of expenditures. (Should be in a format similar to Exhibit A.)
- ** 2. Affidavit of publication. (Supplied by the newspaper when you advertise for bids.)
- ** 3. Minutes of any meeting at which action is taken on bids received. (Should be dated and signed by a responsible official.)
- ** 4. Contractor invoices (or FINAL progress payment if countersigned by contractor acknowledging payment of all PRIOR charges, and if the cost of each major work item is shown).
- * 5. All other invoices. (Not monthly statements.)
- ** 6. Cancelled checks to contractor. (Copy both sides.)
- * 7. All other cancelled checks. (Copy both sides.)
- * 8. Employee time records.
- * 9. Individual earnings records for the calendar year, or payroll journals. (Should show gross wages, withholdings and net pay for each pay period.)

- * 10. Equipment rental time records.
- ** 11. Detailed schedule showing how you computed owned-equipment rental rates. (Should be in format similar to Exhibit B.) For DONATED equipment time, you may now use hourly rates published in RENTAL COMPILATION or RENTAL RATE GUIDE, or other publications which provide national or regional average rates.
- ** 12. Detailed schedule showing how you computed rates for payroll additives (fringe benefits).
- * Copies may be attached to final billing if you wish, and if the volume is small. Otherwise our auditor will select several (from data listed under Item 1 above) and either examine them at your office or request that you mail copies.
- ** Copies should be attached to final billing.

EXPENDITURES FOR
LWCF PROJECT

Initials Date

Prepared By
Approved By

EXHIBIT A

AGENCY _____

HCRS PROJECT NO. _____

PROJECT TITLE _____

OP FILE NO. _____

DESCRIPTION	CHECK NO.	DATE OF INVOICE	AMOUNT	PAID TO	
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SECTION 4 GLOSSARY

SECTION 4 - GLOSSARY

AGREEMENT (State--Local): The written document under which the project sponsor does certain stipulated work and the state makes payments to the sponsor.

AGREEMENT (State--NPS): The written document signed by State and NPS under which certain stipulated work is done and payment is made by NPS to the State.

APPORTIONMENT: Notice to the State by NPS or by the State to local agencies that a certain amount of funds is available within a certain time period.

AMENDMENT: A change in the cost, project period, or work items included in an agreement.

ANSI: American National Standards Institute, Inc.

APPLICANT: The ultimate recipient of the grant funds and the agency responsible for prosecution of the project and the operation and maintenance of the site.

APPLICATION: A complete document with all of the attachments required for project approval.

CLO: The County Liaison Officer, appointed by the County Board of Commissioners or the County Court, who acts as the primary contact between the State and local agencies. For State Grant-in-Aid projects only.

COG: A Council of Governments, representing the governmental agencies within each of Oregon's 14 districts.

COMMITTED FUNDS: Funds that are assigned by the State or CLO for use on a specific project not yet approved by NPS.

CONVERSION: The use of land within an approved project boundary for any purpose other than public outdoor recreation (see Section 3.7).

DESK AUDIT: An audit of project records made by a State auditor in the Salem office by use of records sent to the State by the project sponsor.

DIVISION: The Oregon State Parks and Recreation Division.

DONATION: Receipt of land, labor, materials, or use of equipment without payment for same by the project sponsor. (See Section 2.5).

ENVIRONMENTAL ASSESSMENT: (See Section 2.3.)

FIELD AUDIT: An audit made in the office of the project sponsor by a State auditor.

FLOOD PLAIN: The lowland and relatively flat areas adjoining inland and coastal waters, including flood-prone areas of offshore islands, subject to a 1% or greater chance of flooding in any given year (a 100-year flood).

FORCE ACCOUNT: Work done on a project by equipment and forces of the project sponsor, and for which time records are kept by the sponsor.

L&WCF: The Land and Water Conservation Fund Act of 1965 (Public Law 88-578).

MFG: A Marine Facilities Grant, a program operated by the State Marine Board.

NPS: The National Park Service, Department of the Interior. (Formally HCRS-Heritage Conservation and Recreation Service.) (Prior to HCRS; formally--BOR-Bureau of Outdoor Recreation.)

OBLIGATED FUNDS: Funds assigned to a project which has been approved by NPS.

OREGON OUTDOOR RECREATION COMMITTEE (OORC): Committee appointed by State Parks Division Administrator to prioritize project applications.

PARK MASTER PLAN: A scale drawing showing the proposed ultimate development of a park site.

PROGRAM NARRATIVE: A verbal description of the proposed project. (See Section 2.2.)

PROJECT AUTHORIZATION: The return to the project sponsor, signed state/local agreement authorizing the project to begin.

PROJECT BOUNDARY: The boundary of the land subject to the conversion restrictions in Section 6f(3) of PL 88-578. May or may not be the same as the park property lines. (See Section 3.7)

PROJECT SCOPE: A list of the work items to be accomplished on the project such as: "Acquire two parcels of land" or "Construct parking lot, restrooms, and two tennis courts."

PROJECT SPONSOR: The ultimate recipient of the grant funds and the agency responsible for prosecution of the project and the operation and maintenance of the site.

SCORP: Statewide Comprehensive Outdoor Recreation Plan. A document used to identify and access Oregon's needs and priorities for recreation acquisition and development.

SECTION 6f(3): The section in the L&WCF Act which requires replacement of any recreation land converted to non-recreation uses. (See Project Boundary.)

SHPO: State Historic Preservation Office--The office responsible for operation and management of the Historic Preservation Act in Oregon; a branch of State Parks.

SLO: The State Liaison Officer, appointed by the Governor. Presently David G. Talbot, State Parks Administrator.

STATE GIA: A state funding assistance program available to eligible local governments for recreation development projects by the State Legislature.

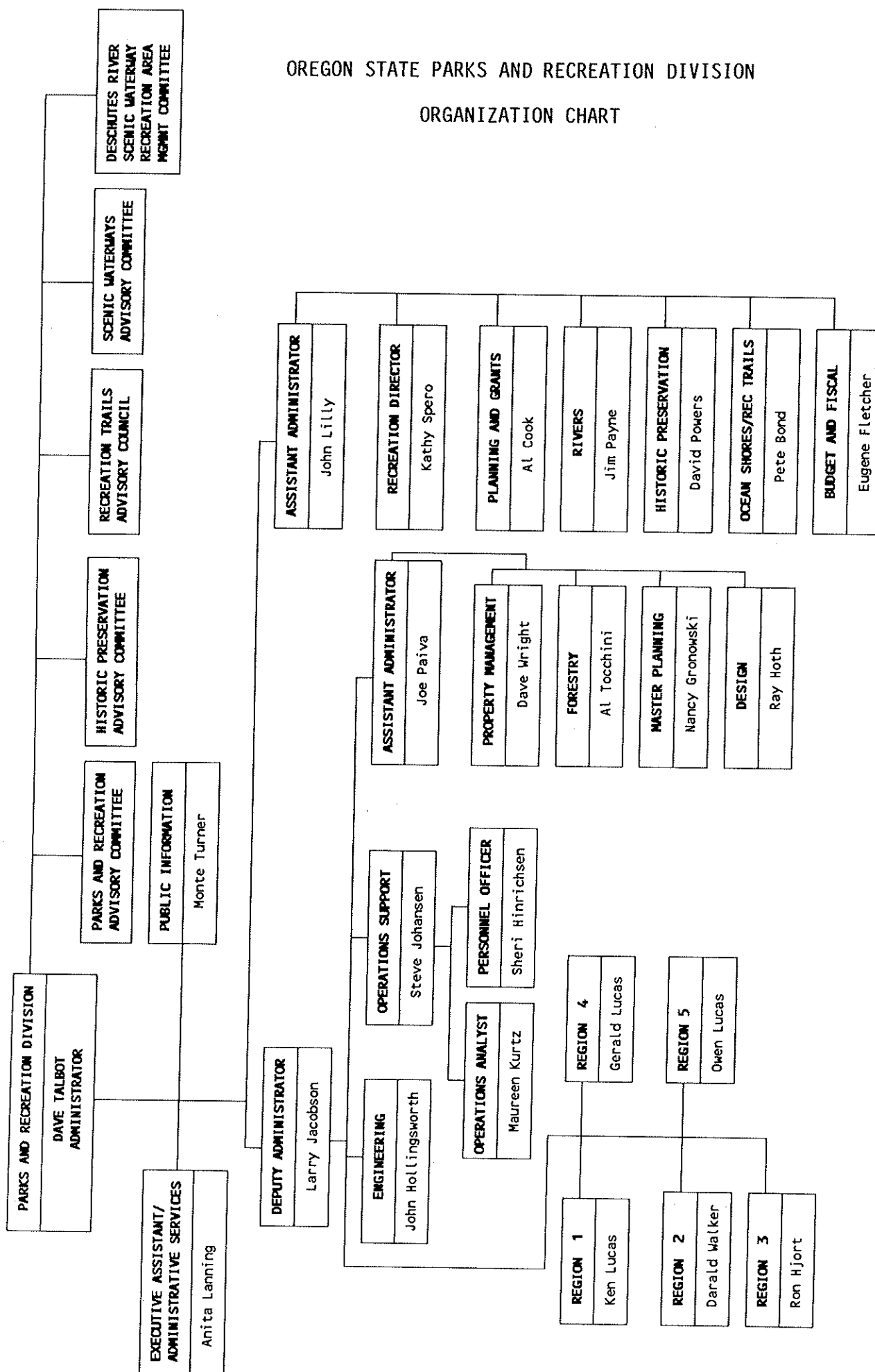
VICINITY MAP: An area map showing the location of the park in the town or county, used to assist the state project officer in finding the site for inspections.

WETLANDS: Those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats and natural ponds.

SECTION 5 APPENDIX

OREGON STATE PARKS AND RECREATION DIVISION

ORGANIZATION CHART



5.2

PARK ACQUISITION AND DEVELOPMENT CHECKLIST

PROJECT NAME: _____ SPONSOR: _____ OP# _____

- _____ 1. Application Form
- _____ 2. Program Narrative
- _____ 3. Environmental Assessment
- _____ 4. Vicinity map showing location of the site
- _____ 5. Park master plan and boundary map
- _____ 6. Civil Rights Compliance form D1-1350
- _____ 7. Local COG Review
- _____ 8. State Clearinghouse Review
- _____ 9. Project Sponsor Certification

ADDITIONAL FOR CONSTRUCTION PROJECTS ONLY

- _____ 10. Ownership statement (including copy of deed or lease)
- _____ 11. Cost estimate
- _____ 12. Permits, agreements, etc., if applicable
- _____ 13. Construction plans and specifications

ADDITIONAL FOR ACQUISITION PROJECTS ONLY

- _____ 14. Assessors plat or boundary survey map
- _____ 15. Preliminary title report
- _____ 16. Appraisal (must conform to P.L. 91-646)

If there are any questions, please call 1-503-378-6305.

Check list made by _____ Date _____

PROJECT SPONSOR CERTIFICATION

Project Name _____ OP# _____ County _____

	YES	NO	N/A
1. Compliance to Section 2.1 of Grant Manual	_____	_____	_____
A. 6(f) boundary (Section 2.4.1)	_____	_____	_____
B. P.L. 91-646 (Section 2.6.4)	_____	_____	_____
2. Handicapped Requirements P.L. 90-480	_____	_____	_____
3. Flood Plains P.L. 93-234, (Executive Order 11988)	_____	_____	_____
4. Wet Lands, (Executive Order 11990)	_____	_____	_____
5. Endangered Species Act P.L. 93-205	_____	_____	_____
6. Federal Pollution Control Act P.L. 91-604	_____	_____	_____
7. EEO/Contract Compliance (Executive Order 11246, amended)	_____	_____	_____
8. Park Master Plan Compliance	_____	_____	_____
9. Comprehensive Plan Compliance	_____	_____	_____
10. Do Plans/Specs meet Federal/State Health & Safety Codes?	_____	_____	_____
11. Are designs & materials vandal resistant?	_____	_____	_____
12. Are utilities proposed for underground installation?	_____	_____	_____
13. Commitment of Local Funds	_____	_____	_____
14. Operation & Maintenance money available	_____	_____	_____

I certify that all requirements checked above comply with the Oregon State Park Grant Manual.

Project Sponsor Signature _____

Date _____

(6270A)
7-7-80

LAND AND WATER CONSERVATION FUND
GRANT APPLICATION
PARK ACQUISITION AND DEVELOPMENT

PROJECT NAME: _____ AGENCY NAME: _____

Name, address, and phone number of contact person: _____

Signature of contact person _____

Phone Number: (503) _____

BRIEF DESCRIPTION OF WORK: _____

ESTIMATE OF COST OF THE WORK:

Design and engineering work done prior to project approval \$ _____
Design, engineering and inspection work done after project approval _____

Work Elements: _____

TOTAL COST \$ _____

SOURCE OF FUNDS:

NPS (Land and Water Conservation Fund - 50% maximum) \$ _____

State GIA _____

Other State sources (identify) _____

Local budget (cash purchases, contracts, etc.) _____

Local Force Account (agency forces, equipment, etc.) _____

Other sources or revenue sharing (identify) _____

Donations (identify) _____

TOTAL COST \$ _____

Does the sponsor own the site in fee? Yes _____ No _____
Attach a copy of the deed(s), lease or other legal documents.

Has there been a previous federal project on this site? Yes _____ No _____
If yes, give program name and project number(s).

Is the project located in a "flood plain"? Yes _____ No _____
See Glossary for definition.

Does the project effect a "wetland" (see Glossary)? Yes _____ No _____

Is there an LCDC or locally-approved Land Use Plan? Yes _____ No _____
If so, explain in the Program Narrative how this project fits into the plan.

Is the sponsor's share of the project cost included in an APPROVED budget? Yes _____ No _____
If not, explain.

Does the sponsor have an APPROVED budget for operation and maintenance? Yes _____ No _____
If not, explain.

Sponzor

Section 5.2 Cont.

U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
CIVIL RIGHTS ASSURANCE OF COMPLIANCE

(Name of Applicant-Recipient)

ALSO AGREES to comply with the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975 and all requirements imposed by or pursuant to the Department of the Interior Regulations (43 CFR 17) issued pursuant to these titles, to the end that, no person in the United States shall, on the grounds of age or handicap be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives financial assistance from the National Park Service and hereby gives assurance that it will immediately take any measures to effectuate this agreement.

APPLICANT-RECIPIENT

AUTHORIZED OFFICIAL
(State/County/City)

DATE

DATE

Applicant-Recipient's
Mailing Address

Authorized Official's
Mailing Address

SAMPLE

5.3

STATE-LOCAL
AGREEMENT
LAND AND WATER CONSERVATION FUND THIS DATE

TO BE FILLED
IN BY STATE

This agreement, made and entered into this _____ day of _____, 19____, by and between the STATE OF OREGON, by and through its Department of Transportation, Parks and Recreation Division, hereinafter called "State", and a(n) _____ of the State of Oregon, by and through its _____, hereinafter called "Sponsor";

WITNESSETH:

WHEREAS, Sponsor proposes to undertake the following outdoor recreation project: _____ (OP) _____ in _____ County, Oregon, hereinafter called the "project: and to that end, proposes to perform work and/or acquire land as set out and described below:

WHEREAS, federal matching funds for acquisition and development of outdoor recreation areas are available under the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964), as administered by the Department of the Interior; and

WHEREAS, it is the intent of the parties hereto that Sponsor acquire land and/or perform the development work, as set out above in accordance with the Land and Water Conservation Fund Act of 1965, other applicable federal and state statutes, and the requirements of the Department of the Interior; and that State apply to the Department of the Interior for funds with which to reimburse the state for administration costs (____% of total project cost), and to reimburse Sponsor for up to 50 percent (50%), less the state administrative charge, of sponsor's costs in acquiring such land and/or performing such work.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

1. The State hereby approves the project proposal and authorizes Sponsor to acquire land and/or perform the work of the project in accordance with the above description. As hereinafter used, "work of the project" shall include both acquisition of land for and development work of the project, and "cost of the project" shall include both costs of acquisition of land for and development work of the project, if such is required.

2. The estimated total cost of the project is \$ _____. The sponsor shall in the first instance, pay all the costs of the project and then request reimbursement upon completion of the project. State shall pay sponsor no more than \$ _____ for reimbursement and State shall retain no more than \$ _____ for State administration expenses. In no event shall the sum of the payment to Sponsor and the State administration retention exceed fifty percent (50%) of the total actual cost of the project. In the event the actual total cost of the project is less than the estimated total cost set forth above, State's administrative retention shall not exceed _____ percent of the total project cost. Partial payment requests may be submitted by the Sponsor for work done at the time of billing. Final payment will be made upon completion of the project and audit by State of Sponsor's records pertaining to the project. The administrative charge shall be reflected on all billings.
3. Upon completion of the project, Sponsor shall be responsible for the operation and maintenance of said facility for public outdoor recreation in the manner and according to the standards set forth in the Department of the Interior Manual.
4. It is understood by the parties hereto that no funds of State are, under this agreement, except as covered by a separate agreement, committed to payment of any costs of the project, and that obligations imposed upon State to apply for federal funds as well as the right of Sponsor to receive any reimbursement for any costs of the project shall extend only to those portions of the project, including the estimated costs thereof, approved by the Department of the Interior. Furthermore, if Sponsor fails to perform any of the work of the project and such failure, because of commitments made by State to the Department of the Interior, forces State to perform any work necessary to bring the project to a useful state of completion (as determined by State and the Department of the Interior), Sponsor shall reimburse State for all State's costs in performing such necessary completion work, less any federal funds received by State for such work.
5. Sponsor hereby agrees to comply at all times with the LAND AND WATER CONSERVATION FUND PROJECT AGREEMENT (the Federal Project Agreement), General Provisions attached hereto marked "Exhibit A" and by this reference made a part hereof, in accordance with paragraph E of part I (Definitions) of Exhibit A. Sponsor hereby undertakes separately to perform its obligations set forth in said Federal Project Agreement. The benefit to be derived from the full compliance by the Sponsor with the terms of this agreement is the preservation, protection, and the net increase in the quantity and quality of public outdoor recreation facilities and resources which are available to the people of the State and of the United States, and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money and other assistance furnished under the terms of this agreement, the Sponsor agrees that payment by the Sponsor to the State of an amount equal to the value of any assistance extended under this agreement would be inadequate compensation to State for any breach by the Sponsor of this agreement. The Sponsor further agrees, therefore, that the appropriate remedy for State in the event of a breach by the Sponsor of this agreement shall be the specific performance of the agreement.

6. Sponsor shall complete the work of the project by _____.
7. Provisions of State law applicable to this agreement are hereby incorporated.
8. Sponsor shall sign this agreement during a duly authorized session of its _____.
9. Sponsor shall comply with and are subject to the requirements of the Office of Management and Budget Circular A-128 which implements the Single Audit Act of 1984 (P.L. 98-502). Title 49 CFR Part 90.

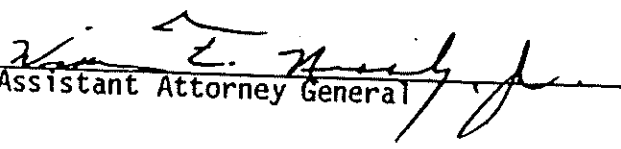
IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year first above mentioned.

STATE OF OREGON, by and through its
Department of Transportation, Parks and
Recreation Division

APPROVED AS TO FORM:

By

Assistant State Parks Administrator


Assistant Attorney General

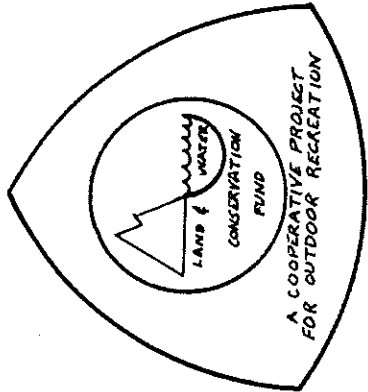
Sponsor _____

ATTEST:

by and through its _____

THE CITY OF XXXXXX
Public Outdoor Recreation Site Development

Aided by
THE LAND AND WATER CONSERVATION FUND
Administered by the



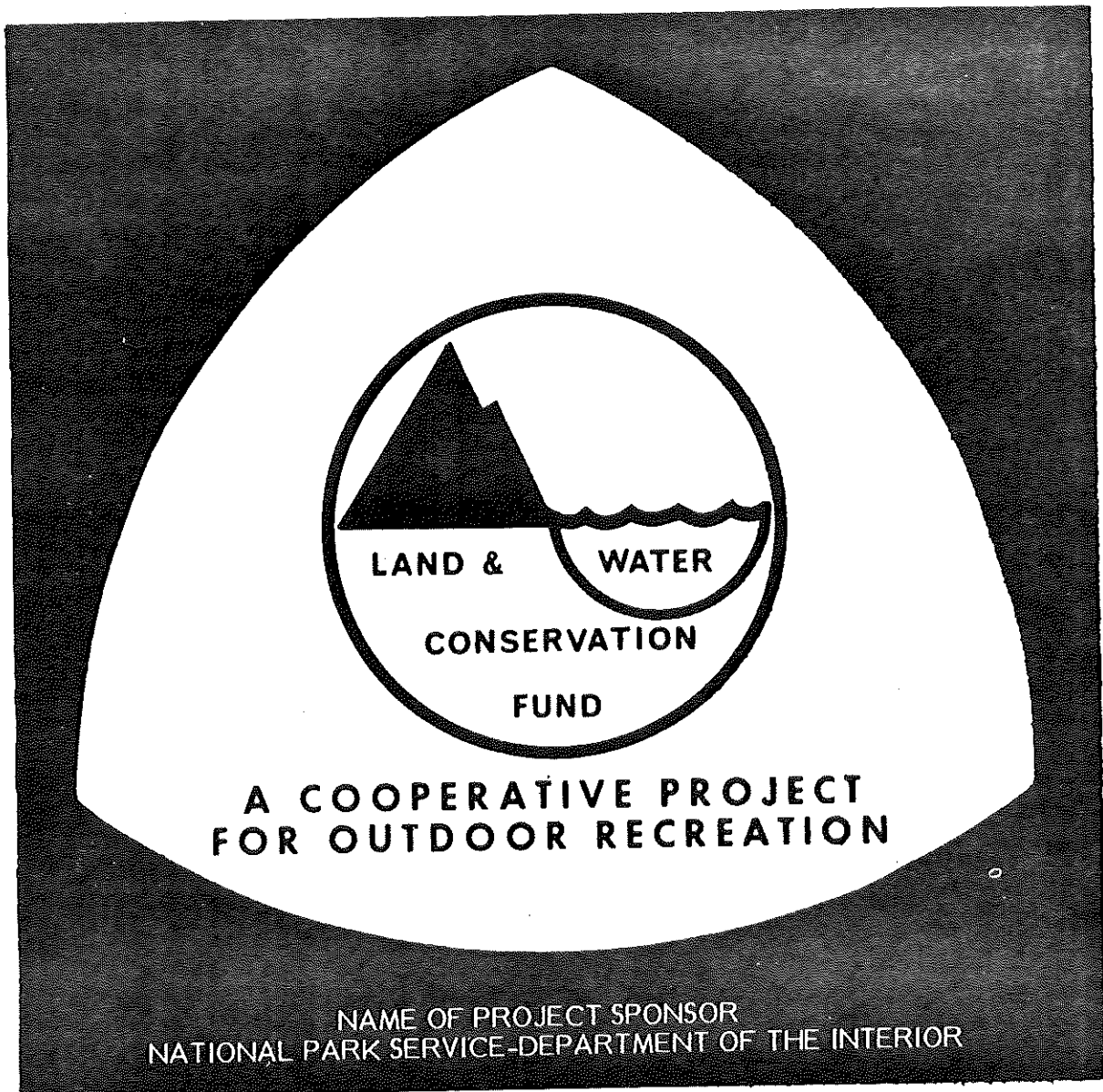
U. S. Department of the Interior

FUNDING

L&WCF	50%	\$50,000
State of Oregon	25%	\$25,000
City of XXXXXX	25%	\$25,000
Total Project		\$100,000

L&WCF Revenue from Outer Continental Shelf Receipts,
Motorboat Fuel Tax and State of Surplus Federal Property. optional

5.5



Manual Release 142
Replaces: MR 125 12/14/73

5.6

OREGON STATE HIGHWAY DIVISION ACCOUNTING INSTRUCTIONS FOR LOCAL GOVERNMENTS PARTICIPATING IN NATIONAL PARKS SERVICE RECREATION DEVELOPMENT AND STATE GRANT-IN-AID PROJECTS

In any program where reimbursement is requested for a portion of project costs, adequate records are essential. There should be definite supporting evidence for EACH item of cost claimed -- estimates are not sufficient.

In order to promote a better understanding of the records required and to avoid the possibility of having costs disallowed at the time of audit, the following accounting procedures are suggested for all NPS and GIA projects:

GENERAL

A separate account should be established for each approved project. The ledger sheet, IBM cards or tape should include the project number and name. It should be maintained in such a manner (e.g., separate columns on a ledger sheet) that payment for salaries, contracts, equipment rental, supplies and other items listed on the attached Agency Billing Form can be accumulated separately.

Each entry in the account must be cross-referenced to a voucher, payroll invoice or other supporting document. Each payment must be supported by a cancelled check or warrant.

Salaries and Wages

Payrolls should be signed by an authorized official and wages paid should be supported by time and attendance records for each employee. Special care should be taken to distinguish between different phases of development (i.e., separate projects in the same area, and between different locations developed at the same time and/or with similar construction.

Any fringe benefit rates used should be developed using actual historical costs, and individual components should be identified.

Contract Payments

Payments made by the project sponsor should be supported by a statement or invoice from the contractor or the project architect or engineer. The document must identify the project and the service performed. The document must indicate the time period in which the service was performed. NPS construction contracts that exceed \$10,000.00 must be advertised for bid. Documentation for the bidding procedure will be required at the time of audits (i.e., advertisement for bid, bid tabulation, original bid proposal, change orders, and a copy of the final contract.)

Consultant Services

Payments made by the project sponsor should be supported by a statement or invoice from the consultant. The project sponsor should enter into a contract and/or include the estimated costs in the original application for assistance. Payments made by the project sponsor may be for per diem, salary, fee for service and may include payment for the travel or other services. A cost-plus-a-percentage of costs payment is not allowable under federal regulations. Proper consultant selection procedures must be followed and proper documentation maintained for audit.

Equipment Rental (Owned)

Equipment rental cost (for owned equipment) should be supported by time records and by a schedule of hourly rates developed from actual historical costs, or in the event no previous cost data exists, from reasonable estimates of such factors as useful life, annual hours of use, tire replacement schedule, insurance premiums, etc. These estimated rates must be adjusted each year based on the previous year's actual costs. The State has developed a tabulation type form that may be used for this purpose; copies are available from State Parks.

Equipment Rental (Outside)

Payments made by the project sponsor for equipment rented for specific project are generally allowable under federal regulations. Payments made by the project sponsor must be supported by a statement or invoice from the vendor that indicates the time period the equipment was rented.

Materials and Supplies

Supplies and materials charged to the project should be supported by purchase orders and supplier's invoices if purchased for a specific project, or by approved requisitions or similar documents if issued from stock; unit prices for stock issues should be traceable to actual invoices and/or other historical cost data.

Approved Pre-agreement Cost

Pre-agreement costs for design and engineering, site investigation and selection, site planning, etc., up to three years in advance of the approved project period are allowable under NPS regulations. Planning design and engineering costs are not allowable under State-Grant-In-Aid procedures. These costs must be included in the original application for assistance and be supported by documentation that indicates the type of service and time period.

Value of Approved Donations (Non-Cash)

The value of labor, materials, equipment usage, etc., donated by sources outside the agency may be included only if fully documented in the project application and approved in advance by the Oregon State Parks Division. The project sponsor should use the forms provided for this purpose by the Oregon State Parks Division. The unit value of all donations must be approved by State Parks prior to the acceptance of the donation by the project sponsor.

Non-allowable Costs

Non-allowable costs include, but are not limited to discounts not taken (or lost due to late payment); charges in excess of the lowest bid, unless approved by Parks Division in advance; interest; damage judgements, fines and penalties; publicity and entertainment.

An audit will be made after completion of the project to verify your billing. We will contact you several days in advance to arrange a convenient time. To expedite this audit, all supporting documents should be readily available.

AC:an

2913C

7/84

NATIONAL PARK SERVICE
DEPARTMENT OF THE INTERIOR
LAND AND WATER CONSERVATION FUND
AGENCY BILLING FORM

Agency _____ NPS Project No. _____ Billing No. _____

Project _____ OP File No. _____ Partial _____

Date Work Started _____ End of Billing Period _____ Final _____

DETAIL OF PROJECT COSTS	COSTS INCURRED THIS PERIOD	COSTS BILLED PREVIOUSLY	TOTAL COSTS TO DATE
Salaries and Wages	\$ _____	\$ _____	\$ _____
Contract Payments	_____	_____	_____
Consultant Services	_____	_____	_____
Equipment Rental (owned)	_____	_____	_____
Equipment Rental (outside)	_____	_____	_____
Materials and Supplies	_____	_____	_____
Approved Pre-agreement Costs	_____	_____	_____
Real Property Costs	_____	_____	_____
Relocation Costs	_____	_____	_____
Value of Approved Donations (non-cash)	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
TOTAL COSTS	\$ _____	\$ _____	\$ _____
Less Costs in Excess of Agreement	_____	_____	_____
ALLOWABLE COSTS PER AGREEMENT	_____	_____	_____
Less Other Funds Used (Identify Below)	_____	_____	_____
_____	_____	_____	_____
AMOUNT TO BE BILLED TO NPS	\$ _____	\$ _____	\$ _____

I certify that this billing is correct and is based upon actual costs* incurred by this agency; that it does not include any costs chargeable, in full or part, to other Federal programs; and that no Federal funds have been used for any of this agency's matching share (except as shown above).

I also certify that the work and services which have been performed to date are in accordance with the approved project agreement including amendments thereto; and that this agency has complied with all applicable Federal, State and local statutes.

I further certify that this agency is not involved in any court litigation or lawsuit wherein it is alleged by private parties of the United States that persons were, on the grounds of race, color or national origin excluded from participation in, denied benefits of, or otherwise subject to discrimination in the programs or facilities of this agency.

Signature of Agency's Authorized Official _____ Title _____ Date _____

Person to contact for audit _____ Address _____ Phone No. _____

* The value of labor, materials, equipment usage, etc. donated by sources outside the agency may be included only if fully documented and approved in advance by the Oregon State Parks Division.

5.7

OREGON PROJECT NOTIFICATION & REVIEW SYSTEM



NOTIFICATION OF INTENT TO APPLY FOR FEDERAL AID

For Internal Use Only		[1-8] PNRS #				Page One	
[12] APPLICANT		[45]	[46] DIVISION		[79]		
[12] APPLICANT ADDRESS		STREET	[45]	[46] CITY	[60]	[76] ZIP	[80]
[12] CONTACT PERSON		[45]	[46] AREA CODE	[48]	[49] PHONE	[55]	[56] EXTENSION [59]
[12] PROJECT TITLE		[71]					
[12] PROJECT LOCATION-CITY		PROJECT LOCATION-COUNTY		PROJECT LOCATION SEC:		T: [79]	
				R:			
SUMMARY PROJECT DESCRIPTION (ATTACH SUPPORTING DOCUMENTS AS NECESSARY-SEE INSTRUCTION ON BACK)							
[12]		[71]					
[12]		[71]					
[12]		[71]					
[12]		[71]					
[12]		[71]					
[12]		[71]					
AMOUNT REQUESTED-FEDERAL FUNDS		NON-FEDERAL MATCHING FUNDS		OTHER		TOTAL	
[12] (A) Grant	[19] [20]	(B) Other	[27] [28]	(C) State	[35] [36]	(D) Local	[43] [44]
				(E) FUNDS	[51] [52]	(F) FUNDS	[60]
[12] TYPE OF OTHER FEDERAL FUNDS (See 12B)		[45]	[46] TYPE OF OTHER NON-FEDERAL FUNDS (See 12E)		[79]		
[12] FEDERAL PROGRAM TITLE		[71]					
[12] FEDERAL AGENCY NAME		[45]	[46] FEDERAL SUB-AGENCY NAME		[79]		
(A) TYPE OF APPLICANT: (Check (X) the single most applicable box)							
STATE	INTER-STATE	COUNTY	CITY	SCHOOL DISTRICT	SPECIAL DISTRICT	COMMUNITY ACTION	SPONSORED ORGANIZATION
[] 12	[] 13	[] 14	[] 15	[] 16	[] 17	[] 18	[] 19
OTHER [] 20							
(B) TYPE OF ACTION: (Check (X) as many boxes as apply to this action)							
NEW GRANT	CONT. GRANT	SUPPLT. GRANT	INCREASE DURATION	DECREASE DURATION	CANCELLATION		INCREASE DOLLARS
[] 21	[] 22	[] 23	[] 24	[] 25	[] 26		[] 27
(C) HAS DISTRICT CLEARINGHOUSE BEEN NOTIFIED?				(D) REVIEW REQUIRED	(E) ENVIRONMENTAL IMPACT	(F) HOUSING RELOCATION REQUIRED	
Yes [] 29 No [] 30 Date: _____				Yes [] 31 No [] 32	Yes [] 33 No [] 34	Yes [] 35 No [] 36	
(G) ESTIMATED APPLICATION FILING DATE:			[41] MONTH	[42]	[43] DAY	[44]	[45] YEAR [46]

I. A. Is the project consistent with the city or county comprehensive plan, zoning and subdivision ordinance? No ☐ Yes ☐

I. B. Is the proposal consistent with statewide land use goals? No ☐ Yes ☐

I. C. Is the proposal consistent with state and regional plans? No ☐ Yes ☐

II. Will the project have an impact on a neighboring jurisdiction? No ☐ Yes ☐

If so, is the project consistent with the comprehensive plan for that jurisdiction? No ☐ Yes ☐

III. Explain deviations if any, from pertinent plans.

IV. Federal Catalog number (or Public Law no. and title)

V. Has funding agency been notified? No ☐ Yes ☐ Date: _____

VI. If project includes state funds (12C), identify agency

STATE AGENCIES ONLY

VII. (a) IS PROGRAM BUDGETED ☐ NON-BUDGETED ☐
(b) STATE SHARE

GENERAL FUND CASH	OTHER FUND CASH	IN KIND
\$ _____	\$ _____	\$ _____

(c) FUNDING METHOD	FEDERAL SHARE	STATE SHARE	TOTAL
First Year	% _____ \$ _____	% _____ \$ _____	% _____ \$ _____
Second Year	% _____ \$ _____	% _____ \$ _____	% _____ \$ _____
Third Year	% _____ \$ _____	% _____ \$ _____	% _____ \$ _____

(d) WILL PROGRAM REQUIRE HIRING OF NEW STATE EMPLOYEES: No ☐ Yes ☐ Number _____

(e) Will accounting for this grant be administered by the Executive Dept. Accounting Division? Yes ☐ No ☐

PLEASE ATTACH ANY ADDITIONAL NARRATIVE OR REMARKS

INSTRUCTIONS

- (A) State Application Identification Number (PNRS #) - leave blank - numbers are assigned by State Clearinghouse.
- (B) Complete each line in detail as described below. If additional space is required, please attach memo. IMPORTANT: Key all memos and supporting documents to appropriate question.
- (C) Forward completed form and supporting documents to appropriate Regional Council(s) of Governments and State Clearinghouse (8 COPIES REQUIRED BY STATE).

APPLICANT AGENCY: The State Agency, County, City, Town or other unit(s) of government authorized and making application.

DIVISION: When applicable, the sub-agency of the applicant responsible for administering the project, i.e., City Police Department, City Park Board, Human Resources Department-Employment Division.

APPLICANT ADDRESS: Street, City, Zip.

CONTACT PERSON: A representative of the applicant who may be contacted if further information is necessary, and his telephone number.

PROJECT TITLE: A brief descriptive name of the project. Use location of the project in title when feasible. Example: "Smithville Airport Expansion."

LOCATION: City and County in which project is located. For physical development, include section, township and range. If project is located in multiple locations, or has significant impact in other locations, describe in Remarks section or supporting memo.

SUMMARY PROJECT DESCRIPTION: A summary narrative description of the proposal by nature, type, purpose, size, or other characteristics which will enable the Clearinghouse to identify agencies having plans, programs, or projects that might be affected - attach additional detail, page size maps, planning documents, etc., for use by reviewing agencies when appropriate. For example, developers should include site maps, information pertinent to water and sewer facilities, and a description of environmental impact. Projects having social impact should provide precise narrative material describing goals and objectives or program, population to be served, and coordination with other agencies.

Line 12. Enter amount of funds to nearest whole dollar. (Use NO PUNCTUATION (\$, etc.)

- A. Amount, Federal Funds
- B. Amount, Other Federal Funds, See Line 13
- C. Amount, State Funds, Explain Section VI, Page 2
- D. Amount, Local Funds, Explain - Remarks Page 2
- E. Amount, Other, i.e., Donation, etc. See Line 13
- F. Amount, Total Funds - Add A, B, C, D, E

Line 13. Explain 12B and 12E - indicate type and source of "other" funds.

Line 14. PROGRAM TITLE FEDERAL FUNDS: Enter title as listed in OMB Catalog of Federal Domestic Assistance. State Funds: Enter common program name.

Line 15. AGENCY AND SUB-AGENCY NAME: Enter the name of the administering Agency and Sub-Agency, i.e., Department of Agriculture, Farmers Home Administration.

- Line 17. A. Check the one which is most applicable - Explain "other" in an attached memo.
- Line 17. B. Check one or more, as appropriate.
- Line 17. C. Check appropriate box. If Yes, indicate date of submission.
- Line 17. D. Check appropriate box. If "No" explain reason for submission, i.e., Governor's Directive administrative policy, request assistance or advice for program design, in an attached memo.
- Line 17. E. If Yes, attach statement of your judgment as to the nature and extent of the environmental effect anticipated. Include any adverse effects that cannot be avoided and any alternatives to the chosen course of action. If a draft EIS is required by the Funding Agency, either attach copy(s) or, if to be submitted for separate review later, indicate anticipated date.
- Line 17. F. If yes, describe proposed method of compliance with Federal Housing Relocation Act of 1970 in an attached memo.
- Line 17. G. Give date you expect to file formal application with funding agency. (Use number, i.e., 04-17-72). If less than 90 days from date of Notice of Intent, explain reason for lack of early warning in an attached memo.

INSTRUCTIONS FOR PAGE 2

- I. A. The term "comprehensive plan" includes at least the following elements:
- | | | | |
|----------------|--------------------|----------------------|----------------------------|
| land use | public schools | energy conservation | open space |
| transportation | other public fac. | housing | scenic & historic areas |
| water & sewage | urban growth boun. | economic development | agriculture & forest lands |
| solid waste | geologic hazards | recreation | other natural resources |
- I. B. This refers to the statewide land use goals adopted by the State Land Conservation & Development Commission.
- I. C. The term "state and regional plans" refers to any plan developed by a state agency or regional body, such as plans for social services and resource management.
- II. Refer to I.A., above.
- III. Explain any "no" answer under I or II.
- IV. Enter number of program as listed in OMB Catalog of Federal Domestic Assistance, If not listed, use appropriate Public Law, (or ORS) number and title.
- V. Check appropriate box. If yes, enter date of contract.
- VI. Explain any entry on Line 12C.
- VII. To be completed by state agencies only:
- Either has been included in Legislative approved budget (or) requires "Emergency Board" action.
 - Enter amount of General Fund cash, other fund cash (Explain sources in ATTACHED MEMO), In-kind match (Explain sources).
 - Enter appropriate percentage and dollar amounts - totals must agree with Line 12.
 - Check appropriate box and enter number.
 - If yes, see Executive Department Accounting Division Procedures 15/971/09.

REVIEW PROCEDURES

INTERGOVERNMENTAL RELATIONS DIVISION
EXECUTIVE DEPARTMENT
155 COTTAGE STREET, N.E.
SALEM, OR 97310 (503) 373-7652

NOTIFICATION OF INTENT

Any agency of state or local government or any organization or individual applying for assistance to a project will be required to notify both the state and areawide clearinghouses of their intent to apply for assistance.

The applicant for federal assistance or direct federal development will send eight (8) copies of the application (federal form 424 or PNRS 1) to the Intergovernmental Relations Division (IRD) and five (5) copies to the appropriate areawide clearinghouse (county commissioner where there is no active Council of Governments). IRD will assign a PNRS number to the project. The areawide clearinghouse will obtain the number of the project from the weekly bulletin circulated by IRD. The areawide clearinghouse will send comments on the project (with assigned PNRS number) to IRD for inclusion in response to the federal agency and applicant.

In the case of an application for an activity that is statewide or broader in nature (such as various types of research) and does not affect nor have specific applicability to areawide and local planning and programs, the notification needs to be sent only to the state clearinghouse.

The Notification of Intent (NOI) or Application will include a one or two page summary description of the project with the following information, as appropriate and to the extent available:

1. Name and address of the applicant agency, organization or individual.
2. Geographic location of the project. A map (8-1/2 x 11) should be provided.
3. Brief description of the proposed project.
4. The federal program title, number, and agency under which assistance will be sought.
5. Federal agency name, address, and contact person to receive comments.
6. The estimated date applicant expects to formally file an application.
7. A statement as to whether or not the applicant has been advised by the funding agency that he will be required to submit Environmental Impact information in connection with the proposed project.

IRD will distribute the project notification to the appropriate state agencies. The areawide clearinghouse will distribute projects to the appropriate local governments and agencies and regional organizations.

Both IRD and the areawide clearinghouses will provide liaison as may be necessary between such agencies and the applicant.

IRD and the areawide clearinghouses will provide liaison between federal agencies contemplating direct federal development projects and the state or areawide agencies or local governments having plans or programs that might be affected by the proposed project.

IRD and the areawide clearinghouses will attempt to resolve differences of opinion regarding application for federal assistance or federal projects and programs. If resolution is not possible, all comments will be

submitted to the applicant and/or the federal agency.

If any comments are received suggesting that a federal grant in or affecting Oregon's coastal zone is inconsistent with Oregon's Coastal Management Program, IRD will convene a conflict resolution meeting which includes concerned parties and the Department of Land Conservation and Development (LCD). The meeting will attempt, through negotiation, to modify the proposal to remove any inconsistencies. If the conflict cannot be resolved to the mutual satisfaction of all reviewers, then LCD will review all comments and make a determination of consistency or lack of consistency on behalf of the state.

Oregon has elected to implement a 45 day period for review of applications, except those which are specifically limited by regulation to a 30 day review cycle, such as noncompetitive continuation grants and the Department of Housing and Urban Development's mortgage insurance and Urban Development Action Grant Programs.

Clearinghouses have the option of conducting various levels of project review. These levels may be reviews for informational purposes only or for substantive comments. In this way, the large number of applications and notifications can be reduced at the local level to fit the available resources for program evaluation and comment.

REVIEW CRITERIA

- I. Reviews and comments shall be made for the purpose of assuring the consistency of a project with state, areawide or local policies, programs and plans. Comments should relate directly to the project, not to the program through which it is funded.

Comments not related to the following "Review Criteria" will not be submitted to the applicant or federal department/agency:

- a. The extent to which the project is consistent with or contributes to the fulfillment of policies, programs, plans, activities, and planning for the state, area or locality.
- b. The extent to which the project:
 1. Duplicates, runs counter to, or needs to be coordinated with other projects or activities being carried out in or affecting the area, or
 2. Might be revised to increase its effectiveness or efficiency in relationship to other state, areawide or local programs and projects.
- c. The extent to which the project contributes to the achievement of state, areawide and local objectives.
- d. The extent to which the project affects land use and the environment.
- e. The extent to which the project affects equal opportunity, affirmative action and handicapped access objectives.

Projects and Activities not Subject to Review:

- I. Modifications to existing plans, minor budget amendments and supplemental budgets and continuation paperwork for programs that have been reviewed.

- II.
 - a. Direct financial assistance to individuals or families for housing, welfare, health care services, education, training, economic improvement, and other direct assistance for individual and family enhancement.
 - b. Incentive payments or insurance for private sector activities not involving real property development or land use development.
 - c. Agricultural crop supports or payments.
 - d. Assistance to organizations and institutions for the provision of education or training not designed to meet the needs of specific individual states or localities.
 - e. Research, not involving capital construction, which is national in scope.
 - f. Assistance for staff development or management improvement purposes.
 - g. Assistance to educational institutions for activities that are part of a school's regular academic program and are not related to local programs of health, welfare, employment, or other social services.
 - h. Assistance for construction involving only routine maintenance, repair, or minor construction which does not change the use or the scale or intensity of use of a federal structure or facility.
- III. Competitive bids or proposals for federal or state programs for which reviews have been completed.

IRD will be the State of Oregon's *Single Point of Contact* (SPOC).

The SPOC serves only as the official conduit for state and local government views to go to the federal funding agency. It is essentially the "packager of views" and the contact that federal agencies will deal with directly as they respond and "accommodate" views. The SPOC will communicate comments and recommendations to the federal agencies.

The SPOC and not the applicant must transmit the recommendation to the federal agency. If this procedure is not followed, the federal agency will still consider all comments received, but the "accommodate or explain" obligation will not apply. The SPOC is obligated to transmit all comments received concerning a program or activity. This does not have to be a recommendation representing unanimous agreement for the recommendation to receive an "accommodate or explain" response.

The SPOC will send comments simultaneously to the applicant and to the federal funding agency (applicant to furnish complete name and address of federal agency plus name of contact person).

STATE PLANS

The state may use a plan or other document that it has developed for its own purposes to meet federal requirements.

Two or more plans may be combined into one document. The state can select the format, submission date, and planning period for the consolidated plan.

Clearinghouse Handbook

State plans include major pass-through programs: economic and community development, historic preservation, environmental programs, etc.

The review of state programs, federal assisted or not, is important to the areawide clearinghouses for comprehensive planning purposes and in identifying inefficiencies and duplication not evident at the state or federal level.

DIRECT FEDERAL DEVELOPMENT

Any federal action requiring a Draft Environmental Impact Statement or a state/local permit or impacting state/areawide/local policies, plans, programs and land use. Such development activities include: hospitals, post offices, office buildings, defense facilities, forest land, U.S. Army Corps of Engineers' activities, hazardous wastes, etc.

REVIEW OF INDIAN PROGRAMS

Applications from federally recognized Indian tribes are not subject to review; however, they may voluntarily participate in the review system.

MEMORANDA OF AGREEMENTS

Existing agreements will stand. Agencies may request changes on an individual basis.

INTERGOVERNMENTAL RELATIONS DIVISION

EXECUTIVE DEPARTMENT

155 COTTAGE STREET, N.E.

SALEM, OREGON 97310

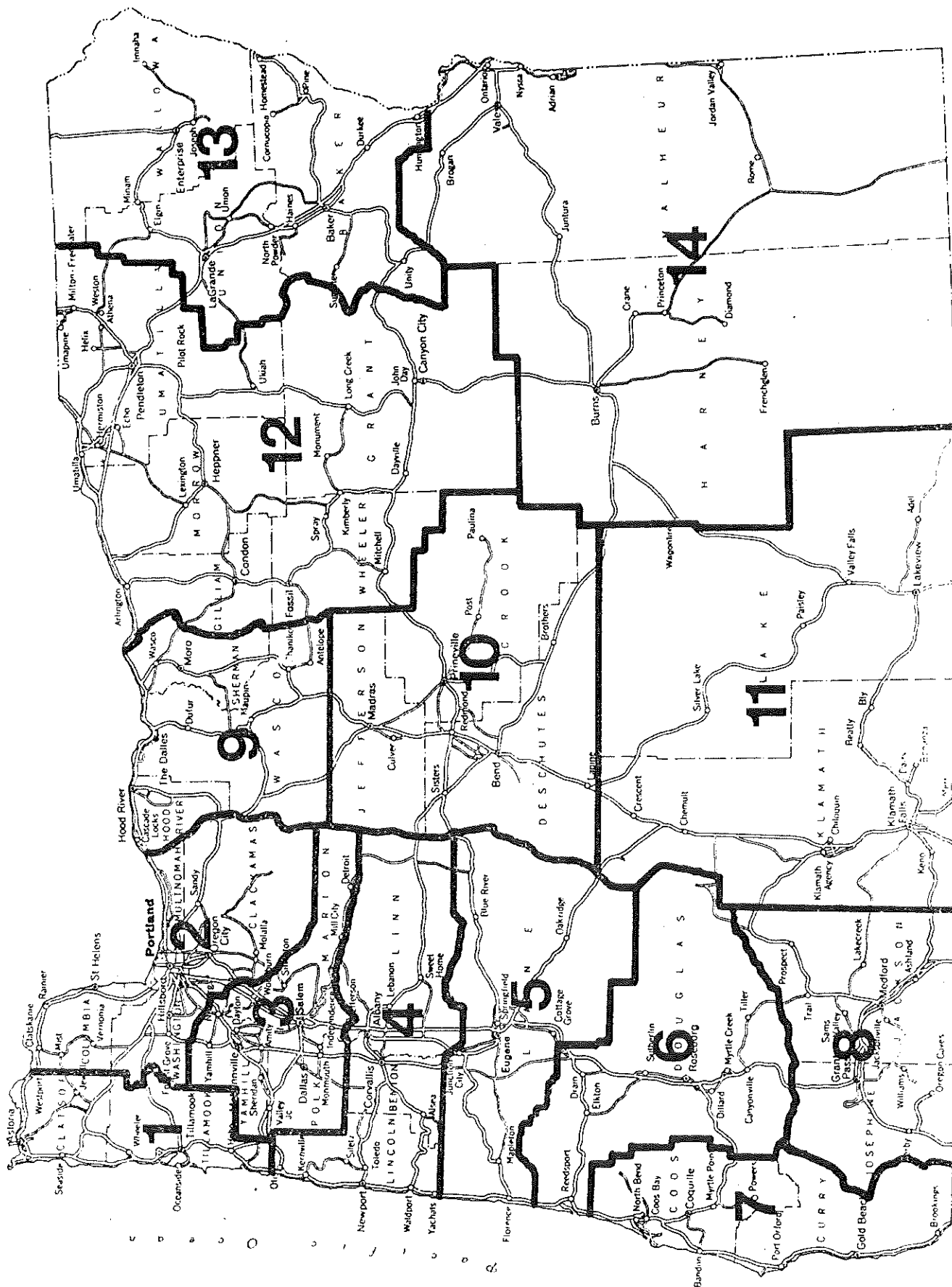
(503) 373-7652

**ESTABLISHED COUNCILS OF GOVERNMENTS AND CLEARINGHOUSES
BY ADMINISTRATIVE DISTRICTS**

1. **CLATSOP-TILLAMOOK INTERGOV'L COUNCIL**
P.O. Box 488
Cannon Beach, OR 97110
(503) 436-1156
Gerald (Jerry) Woodward, Chairman
Donald M. Fields, Director
(Normal meeting time: 3rd Tuesday, 10 AM. Call to confirm.)
2. **METROPOLITAN SERVICE DISTRICT**
2000 S.W. 1st Avenue
Portland, OR 97201-5398
(503) 221-1646
Mike Ragsdale, Presiding Officer
Rena Cusma, Executive Officer
(Meets 2nd/4th Thursdays, 5:30 PM)
3. **MID-WILLAMETTE VALLEY COUNCIL OF GOVERNMENTS**
105 High Street, S.E.
Salem, OR 97301
(503) 588-6177
Alan Hershey, Director
(Meets 2nd Tuesday, 8 AM, in Jan., Feb., Mar., May., June, Aug., Oct., and Dec.)
4. **OREGON DISTRICT 4 COUNCIL OF GOV'TS**
155 S.W. Madison Street
Corvallis, OR 97333
(503) 757-6851
Frank Armstrong, Chairman
William Wagner, Executive Director
(Meets 4th Tuesday, 4PM)
5. **LANE COUNCIL OF GOVERNMENTS**
Lane County Public Service Building
125 East 8th Avenue
Eugene, OR 97401
(503) 687-4283
Bob Bryson, Chairman
George Kloeppel, Executive Director
(Meets 4th Thursday, 7:30 PM)
6. **UMPQUA REGIONAL COUNCIL OF GOV'TS**
Douglas County Courthouse, Room 305
Roseburg, OR 97470
(503) 440-4231
Grant Levins, Chairman
Paul L. Howard, Executive Director
(Meets 3rd Tuesday, 1:30 PM)
7. **COOS-CURRY COUNCIL OF GOV'TS**
170 S. Second Street, Suite 204
Coos Bay, OR 97420
(503) 267-6500
Marlyn Schafer, Chairman
Sandra Diedrich, Director
(Meets 2nd Thursday, 6:30 PM)
8. **ROGUE VALLEY COUNCIL OF GOV'TS**
(155 S. 2nd Street, Room 200)
P.O. Box 3275
Central Point, OR 97502
(503) 664-6674
Robert F. Johnson, Chairman
Dennis G. Lewis, Executive Director
(Meets 4th Wednesday, 7:30 PM)
9. **MID-COLUMBIA COUNCIL OF GOV'TS**
502 E. 5th Street, Annex B
The Dalles, OR 97058
(503) 298-4101
Jim Comini, Chairman
Richard Jentzsch, Executive Director
(Meets 4th Tuesday, 1:30 PM)
10. **CEN. OREGON INTERGOV'L COUNCIL**
(1135 W. Highland)
P.O. Box 575
Redmond, OR 97756
(503) 548-8163
Tom Throop, Chairman
Dennis Newell, Executive Director
(Meets 3rd Thursday, 7 PM)
11. **KLAMATH-LAKE PLANNING & COORDINATION COUNCIL**
Inactive
12. **E. CEN. ORE. ASSN. OF COUNTIES**
(17 S.W. Frazer, Suite 20)
P.O. Box 1207
Pendleton, OR 97801
(503) 276-6732
Lorene Allen, Chairman
Tony Barnhart, Executive Director
(Meets 3rd Thursday, 10 AM)
13. **BLUE MTN. INTERGOV'L COUNCIL/
ECONOMIC DEVELOPMENT DIST.**
Wallowa County Courthouse
P.O. Box E
Enterprise, OR 97828
1-800-452-8639, ext. 1782, or (503) 963-1755
(Ask for Susan Fesler, Econ. Dev. Planner)
Judge Ralph Ward, Chairman
John W. Beck, Coordinator
(Meets in Dec., March, June, & Aug.)
14. **IDA-ORE PLANNING & DEVELOPMENT ASSOCIATION, INC.**
P.O. Box 311
Weiser, ID 83672
(208) 549-2411
Lee Peterson, President
Phil Choate, Executive Director
(Meets 1st Thursday, 6:30 PM)

updated 1/31/88

Section 5.7 Cont.



State of Oregon DISTRICTS

Office of the Governor

— district boundary
5 district number

SECTION 5.8

OREGON ADMINISTRATIVE RULES

736-08-005 - 736-08-055

OREGON ADMINISTRATIVE RULES
CHAPTER 736, DIVISION 8 - STATE PARKS AND RECREATION DIVISION

DIVISION 8

**DISTRIBUTION OF LAND AND WATER
CONSERVATION FUNDING
ASSISTANCE TO UNITS OF LOCAL
GOVERNMENT FOR PUBLIC OUTDOOR
RECREATION**

Purpose of Rule

736-08-005 This rule establishes the procedures and requirements used by the State Parks and Recreation Division, Office of the State Liaison Officer, when distributing federal Land and Water Conservation Fund monies to state agencies and eligible local governments and the process for establishing the priority order in which local government projects shall be funded.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81

Statutory Authority and Procedure

736-08-010 ORS 390.180 requires the Administrator to adopt rules establishing procedures the State Parks and Recreation Division shall use when the Division allocates money to local governments or other state agencies.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81

Federal Requirements

736-08-015 In September 1964, the U.S. Congress approved and the President signed Public Law 88-578, the Land and Water Conservation Fund Act of 1965. This law, as amended, utilizes funds derived from sale of Golden Eagle passes to federal recreation areas, offshore oil leases and sale of surplus U.S. Government property to fund a grant program for the acquisition of land and the development of public outdoor recreation facilities. The grants are limited to 50 percent of the total cost of each project. All applicants for federal funding assistance must also satisfy the requirements delineated in the "Outdoor Recreation Grants-in-Aid Manual", parts 600 through 685.

[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the office of the State Parks and Recreation Division.]

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81

Definitions

736-08-020 (1) "Land and Water Conservation Fund (LWCF)" - Those funds made available to the state through the Land and Water Conservation Fund Act of 1965.

(2) "Eligible Project" - An acquisition or development undertaking which satisfies the requirements of the federal Land and Water Conservation Fund Program.

(3) "Acquisition" - The gaining of property rights for public use by donation, purchase of fee title or easement interests.

(4) "Development" - The construction or rehabilitation of facilities necessary for the use and enjoyment of public outdoor recreational resources.

(5) "State Comprehensive Outdoor Recreation Plan" - Otherwise known as SCORP, the document used to identify and assess Oregon outdoor recreation needs.

(6) "Action Program" - A requirement of SCORP which identifies salient recreation issues to be addressed over a two-year period.

(7) "Division" - The Oregon State Parks and Recreation Division.

(8) "Division Procedural Manual" - A manual prepared by the Division containing state and federal policies, procedures and instructions to assist local government agencies wishing to participate in LWCF assistance.

(9) "State Recreation Grant Assistance (GIA)" - A funding assistance program made available to eligible local agencies for recreation development projects by the state legislature. These funds are derived from the State General Fund.

(10) "Local Comprehensive Plan" - The comprehensive land use plan prepared by each local jurisdiction within the state, as required by ORS Chapter 197.

(11) "Oregon Outdoor Recreation Committee (OORC)" - The committee appointed by the Division Administrator to prioritize project applications.

(12) "Current Park Master Plan" - A site-specific plan guiding park acquisition and development in a timely and orderly fashion.

(13) "Project Certification" - The final application procedure provided by project sponsors whose projects have been prioritized by OORC.

(14) "Project Authorization" - The return to the project sponsor, signed state/local agreement authorizing the project to begin.

(15) "Office of the State Liaison Officer" - The State Parks Administrator and his designees who have the responsibility to administer the stateside LWCF.

(16) "Reapportionment Account" - Those monies derived from project underruns, cancellations and reduction in project scope. Separate accounts will be kept for both state and local sponsors.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81; PR 1-1983, f. & cf. 2-18-83

Apportionment of Monies Between State and Local Agencies

736-08-025 (1) Monies apportioned annually by the Department of Interior based on annual Congressional appropriations to the state from the federal Land and Water Conservation Fund shall be divided into three shares:

(a) An amount equal to one-half of the annual anticipated administrative costs of the office of the State Liaison Officer to operate the program;

(b) Not less than 60 percent to units of local government; and

(c) Up to 40 percent to state agencies. This provision shall not apply to federal Land and Water Conservation Fund monies apportioned from the Secretary of the Interior's contingency fund.

(2) Monies derived from project underruns, project cancellations, reduction in project scope will be made available to the account from which it originally came, i.e., state or local. On October 1 of each year, all unused state agency project account funds derived from the reapportionment

OREGON ADMINISTRATIVE RULES
CHAPTER 736, DIVISION 8 - STATE PARKS AND RECREATION DIVISION

account shall be transferred to the local project account for the sole use of the local project sponsors.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81; PR 1-1983, f. & cf. 2-18-83

Assessment for Services

736-08-030 Each local government project sponsor shall be assessed a percentage of the total final project cost for services provided by the Division. This percentage assessment shall be established in the state-local agreement. The assessment shall be reviewed by the Division annually to insure that income does not exceed 50% of the administrative costs for grant distribution to units of local government. This assessment shall be made at the time of any project billing with the fee being withheld from the amount paid to the sponsor.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81

Project Amendment

736-08-035 Amendments that increase the local project cost will generally not be allowed. Project amendment requests based on extraordinary circumstances will, however, be reviewed on a case-by-case basis. Phased acquisition or development will be treated as separate and individual projects.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81; PR 1-1983, f. & cf. 2-18-83

Partial Billings

736-08-040 Project sponsors may submit to the Division partial billings not to exceed 75% of the total work performed to the date of partial billing submittal.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81

Application Procedure

736-08-045 The purpose of this section is to set forth requirements that must be met by local government applicants in submitting an application for Land and Water Conservation Fund assistance.

(1) Eligibility for Funding Assistance. Public agencies deemed to be eligible for L&WCF funding assistance are:

(a) Local Governments:

- (A) City Park and Recreation Departments;
- (B) County Park and Recreation Departments;
- (C) Park and Recreation Districts;
- (D) Port Districts;
- (E) Indian Tribes.

(b) State Agencies:

- (A) Oregon State Parks and Recreation Division;
- (B) Oregon Department of Fish and Wildlife;
- (C) Oregon Department of Forestry;
- (D) Oregon Division of State Lands.

(2) Matching Requirements. The Land and Water Conservation Fund provides for up to 50 percent funding assistance. The eligible agency match can be budgeted funds, donated funds, and value of private donated property, equipment, materials, labor, or any combination thereof.

(3) Projects Eligible for Funding:

(a) Projects eligible are:

(A) Acquisition; and

(B) Development projects which are consistent with the outdoor recreation goals and objectives contained in the Statewide Comprehensive Outdoor Recreation Plan (SCORP) and the State Action Program, and recreation elements of local comprehensive plans.

(b) Marine facility development requests are eligible for funding. They will, however, receive careful evaluation because of the existence of a special federal marine grant program.

(4) Limitation on Use. No project element utilizing State Recreation Grant Assistance shall be funded with Land and Water Conservation Fund monies.

(5) Local Agency Requirements. Local agencies participating in the funding assistance program must provide evidence that there is a current park master plan in effect and that the project is consistent with the local comprehensive land use plan.

(6) State Agency Requirements:

(a) State agencies participating in the fund assistance program must provide evidence of a six-year capital improvement program which shall include a long-term statement of agency outdoor recreation acquisition and development goals or provide evidence of legislative mandate.

(b) Eligible state agency needs will be determined by state budgeting process resulting in legislative approved agency budgets by July of each odd-numbered year.

(7) Application Form. All applications for funding assistance for outdoor recreation projects must be submitted on forms supplied by the Division. All applications must be consistent with the Division Procedural Manual and contain the following information:

- (a) Program narrative;
 - (b) Environmental assessment;
 - (c) Vicinity map;
 - (d) Project boundary map;
 - (e) Master plan;
 - (f) Civil Rights compliance;
 - (g) Local COG review;
 - (h) A-95 clearinghouse review;
 - (i) Ownership statement;
 - (j) Cost estimates;
 - (k) Preliminary title report (if applicable).
- (8) Local Project Time Line:

(a) All applications for funding must be submitted to the Oregon State Parks and Recreation Division in a completed form consistent with section (7) of this rule, by no later than January 1. Incomplete applications will not be considered for funding assistance. The Division Grants Program staff will review each application and recommend funding status to the Oregon Outdoor Recreation Committee (OORC). On or about April 1, OORC will meet to select funding priorities for all eligible projects submitted for funding assistance.

(b) By September 1 of each year, sponsors whose projects have been prioritized must submit to the Division the following project information:

(A) Certification of availability of local match;

(B) All required permits and certifications as identified in the Division Procedural Manual;

(C) Preliminary plans and specifications (for construction projects);

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CHAPTER 736, DIVISION 8 - STATE PARKS AND RECREATION DIVISION

(D) Appraisals (two appraisals will be required for projects exceeding \$200,000 total).

(c) By September 15 of each year, the Division will remove those project applications from the priority list that are unable to provide the required documentation.

(d) The amount of federal funding assistance available within the federal fiscal year (October 1 to September 30), will determine the projects to be funded. Project funding priority - the order that projects are submitted for federal obligation - will be determined by OORC. The schedule of project submittal may vary depending on federal fiscal year constraints.

(e) No project may begin without authorization from the Division.

(f) Final documentation (plans and specifications) must be submitted to the Division prior to project authorization.

(g) All project documentation must be submitted to the Division within one year of priority rating by OORC. Projects not completely documented within this time frame will be cancelled.

(h) In the event that the funding assistance available cannot fully fund the last priority project, the sponsor will be given the option of reducing the scope of the project or passing the funding opportunity to the next priority project. After a project has been funded, the sponsor will have 12 months from the date of approval to begin substantial work. "Substantial work" is defined as:

(A) The award of contracts; or

(B) Completion of at least 25 percent of the work, if done by agency forces. Projects not conforming to this schedule will be cancelled.

(i) Projects that do not receive funding assistance for the federal fiscal year submitted will be returned to the applicant without prejudice:

(j) Time Line Summary:

(A) January 1 - Complete application due;

(B) April 1 - Priority selection by OORC;

(C) September 30 - Project certification;

(D) October 10 - Revise list;

(E) October 10 - Formal application submittal for federal obligation.

Stat. Auth.: ORS Ch. 390

Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81; PR 1-1983, f. & cf. 2-18-83; PR 4-1984, f. & cf. 4-5-84

Procedures to Establish Funding Priority

736-08-050 The purpose of this section is to detail the procedures relating to establishing project funding priorities:

(1) The Oregon Outdoor Recreation Committee:

(a) The Oregon Outdoor Recreation Committee (OORC), shall be composed of nine members appointed by the State Parks and Recreation Division Administrator. The Committee membership, to serve nonconcurrent four-year terms, shall represent the following interests:

(A) Counties east of the Cascade Mountains;

(B) Counties west of the Cascade Mountains;

(C) Cities under 15,000 people;

(D) Cities over 15,000 people;

(E) Oregon Park and Recreation Districts;

(F) The State Parks and Recreation Division;

(G) The handicapped public;

(H) Minorities;

(I) The public at large.

(b) Selection of County representation shall be from a list of no less than three candidates for each category supplied by the Oregon Parks Association and the Association of Oregon Counties.

(c) Selection of City representation shall be from a list of no less than three candidates for each category supplied by the Oregon Park and Recreation Society and the League of Oregon Cities.

(d) Selection of Park and Recreation District representation shall be from a list of no less than three candidates supplied by the Districts.

(e) Selection of the Handicapped, Minority, Public at Large, and Parks Division representation shall be at the discretion of the Administrator.

(f) The travel, meals and lodging expenses of all members of the Committee will be reimbursed by the Division according to the rates approved by the State Parks Administrator.

(2) Function of OORC:

(a) The Committee shall meet annually on or about April 1, and at other times upon the call of the Administrator, to establish a priority order of eligible projects for Land and Water Conservation Funding assistance. The meeting will assure full and open project selection processes that will include an outreach to all citizens of the state.

(b) In order to assure full citizen participation in the selection of local projects to be prioritized for funding, all projects submitted must be consistent with the recreation element of the local comprehensive land use plan. The prioritization process, a function of the Oregon Outdoor Recreation Committee, will provide the opportunity for the citizens of the state to address the degree to which each project meets the outdoor recreation needs of the state and local community.

(3) Priority Selection Criteria. Projects shall be prioritized by OORC based on at least the following:

(a) Staff review and recommendations including a technical scoring of each project that will include at least the following:

(A) Extent the project meets the recreation needs identified in SCORP.

(B) Extent project meets the recreation needs identified in the local comprehensive land use plan.

(C) Extent project satisfies the following:

(i) Basic Needs vs. Elaborate;

(ii) Multi-Use vs. Single Use;

(iii) Wide Range Needs vs. Special User Needs;

(iv) Public Recreation vs. Professional Entertainment.

(D) Analysis of sponsors past performance such as:

(i) Ability to complete and bill;

(ii) Ability to maintain existing facilities.

(E) Measured effect on the environment.

(F) Extent the project increases outdoor recreation opportunity in the service area.

(G) How well the project's design accommodates handicapped persons.

(b) Committee assessment against the Statewide Action Program. Additional criteria may be adopted by OORC. Each project sponsor shall be allowed a brief presentation under a procedure approved by the Committee.

Stat. Auth.: ORS Ch. 390

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Hist.: 1 OTC 45, f. 11-27-74, cf. 1-1-75; PR 4-1981, f. & cf. 4-1-81; PR 1-1983, f. & cf. 2-18-83

Emergency Procedure

736-08-055 (1) Under extreme conditions such as severe cut backs of federal funds or complete elimination of these funds an emergency procedure may be initiated at the discretion of the State Parks Administrator.

(2) The emergency procedure would establish new time lines and funding strategies to coincide with the time delay

created at the federal level. The Administrator may delay or abolish time lines, and fund projects on the existing priority list with underruns and cancellations until either projects or money is exhausted.

(3) Under the emergency procedure the Administrator would notify prospective sponsors of any anticipated time changes and assure sponsors of adequate lead time in developing new time lines.

Stat. Auth.: ORS Ch. 390

Hist.: PR 4-1982, f. & cf. 3-26-82; PR 1-1983, f. & cf. 2-18-83

SECTION 5.9 SAMPLE FORMS

GRANT APPLICATION
PARK ACQUISITION AND DEVELOPMENT

Project Name: Clear Lake Boat Ramp Agency Name: Jones County

Name, address, and phone number of contact person: Ed Jones III
County Parks Director
P.O. Box 525
Signature of contact person
Phone Number (503) 555-1234 Elmer, OR 97991

Brief description of work Construct a 2-lane boat launching ramp with a parking lot and restrooms.

Estimate of Cost of the Work

Design and engineering work done prior to project approval \$ 1,500
Design, engineering and inspection work done after project approval 500

Work Elements Launch Ramp 11,000
Parking lot 16,100
Restrooms 25,000

TOTAL COST \$ 54,100

Source of Funds

NPS (Land and Water Conservation Fund - 50% maximum) \$ 27,050

State GIA 5,000

Other State sources (identify) MFG 10,000

Local budget (cash purchases, contracts, etc.) 8,150

Local Force Account (agency forces, equipment, etc.) 2,800

Other sources or revenue sharing (identify) _____

Donations (identify) Labor & equipment by Lions Club 1,100

TOTAL COST \$ 54,100

Does the sponsor own the site in fee?

Yes X No

Attach a copy of the deed(s), lease or other legal documents.

Has there been a previous federal project on this site?

Yes X No

If yes, give program name and project number(s).

41-00505 Clear Lake Ball Field

Is the project located in a "flood plain"?

Yes X No

See Glossary for definition.

the ramp and parking lot are in the flood plain, the restroom is on a bench above the 100-year flood level.

Does the project effect a "wetland" (see Glossary)?

Yes No X

Is there an LCDC or locally-approved Land Use Plan?

Yes X No

If so, explain in the Program Narrative how this project fits into the plan.

Is the sponsor's share of the project cost included in an APPROVED budget?

Yes X No

If not, explain.

Does the sponsor have an APPROVED budget for operation and maintenance?

Yes X No

If not, explain.

Land And Water Conservation Fund Project

Project Name CLEAR LAKE BOAT RAMP Sponsor Jones County Parks

Work Items	Project Costs							Schedule	
	Contracts (Total Values)	Labor		Materials		Misc. Incl. Rest of Equip.	Total Cost	Begin	End
		Phone Account	Volunteer	Purchased	Donated				
Design & Engr	\$	\$ 2000		\$	\$	\$	\$ 2000	Jan 1, '79	Oct 1, '80
RAMP: Grading		500				1000	1500	May 1	June 30
Concrete	3500						3500	June 1	June 30
Riprap	6000						6000	Sept 1	Oct 1
Parking lot: Grading		600	Lions Club 200			L. Club member Equip. 400	1200	May 1	June 30
Drainage		100		300		200	600	May 1	June 1
Paving	13,500						13,500	Aug 15	Sept 1
Curbs	800						800	Sept 1	Sept 15
Restrooms: Bldg	23,000						23,000	June 1	Sept 1
Clearing			Boy Scouts 200			Donated "cat" 300	500	May 1	May 15
Water & Sewer		400		600			1000	May 15	Aug 1
Power line	500 (by Power Company)						500	May 15	June 1
	47,300	3600	400	900		1900	54,100		

STATE-LOCAL
AGREEMENT
LAND AND WATER CONSERVATION FUND

This agreement, made and entered into this _____ day of _____, 19____, by and between the STATE OF OREGON, by and through its Department of Transportation, Parks and Recreation Division, hereinafter called "State", and JONES COUNTY a(n) POLITICAL SUBDIVISION of the State of Oregon, by and through its BOARD OF COMMISSIONERS, hereinafter called "Sponsor";

W I T N E S S E T H:

WHEREAS, Sponsor proposes to undertake the following outdoor recreation project: CLEAR LAKE BOAT RAMP (OP) 1831 in JONES County, Oregon, hereinafter called the "project"; and to that end, proposes to perform work and/or acquire land as set out and described below:

CONSTRUCTION OF BOAT LAUNCHING RAMP, PARKING LOT AND RESTROOMS.

WHEREAS, federal matching funds for acquisition and development of outdoor recreation areas are available under the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964), as administered by the Department of the Interior; and

WHEREAS, it is the intent of the parties hereto that Sponsor acquire land and/or perform the development work, as set out above in accordance with the Land and Water Conservation Fund Act of 1965, other applicable federal and state statutes, and the requirements of the Department of the Interior; and that State apply to the Department of the Interior for funds with which to reimburse the state for administration costs (____% of total project cost), and to reimburse Sponsor for up to 50 percent (50%), less the state administrative charge of sponsor's costs in acquiring such land and/or performing such work.

NOW THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

1. The State hereby approves the project proposal and authorizes Sponsor to acquire land and/or perform the work of the project in accordance with the above description. As hereinafter used, "work of the project" shall include both acquisition of land for and development work of the project, and "cost of the project" shall include both costs of acquisition of land for and development work of the project, if such is required.

2. The estimated total cost of the project is \$54,100. The sponsor shall in the first instance, pay all the costs of the project and then request reimbursement upon completion of the project. State shall pay sponsor no more than \$_____ for reimbursement and State shall retain no more than \$_____ for State administration expenses. In no event shall the sum of the payment to Sponsor and the State administration retention exceed fifty percent (50%) of the total actual cost of the project. In the event the actual total cost of the project is less than the estimated total cost set forth above, State's administrative retention shall not exceed _____ percent of the total project cost. Partial payment requests may be submitted by the Sponsor for work done at the time of billing. Final payment will be made upon completion of the project and audit by State of Sponsor's records pertaining to the project. The administrative charge shall be reflected on all billings.
3. Upon completion of the project, Sponsor shall be responsible for the operation and maintenance of said facility for public outdoor recreation in the manner and according to the standards set forth in the Department of the Interior Manual.
4. It is understood by the parties hereto that no funds of State are, under this agreement, except as covered by a separate agreement, committed to payment of any costs of the project, and that obligations imposed upon State to apply for federal funds as well as the right of Sponsor to receive any reimbursement for any costs of the project shall extend only to those portions of the project, including the estimated costs thereof, approved by the Department of the Interior. Furthermore, if Sponsor fails to perform any of the work of the project and such failure, because of commitments made by State to the Department of the Interior, forces State to perform any work necessary to bring the project to a useful state of completion (as determined by State and the Department of the Interior), Sponsor shall reimburse State for all State's costs in performing such necessary completion work, less any federal funds received by State for such work.
5. Sponsor hereby agrees to comply at all times with the LAND AND WATER CONSERVATION FUND PROJECT AGREEMENT (the Federal Project Agreement), General Provisions attached hereto marked "Exhibit A" and by this reference made a part hereof, in accordance with paragraph E of part I (Definitions) of Exhibit A. Sponsor hereby undertakes separately to perform its obligations set forth in said Federal Project Agreement. The benefit to be derived from the full compliance by the Sponsor with the terms of this agreement is the preservation, protection, and the net increase in the quantity and quality of public outdoor recreation facilities and resources which are available to the people of the State and of the United States, and because such benefit exceeds to an immeasurable and unascertainable extent the amount of money and other assistance furnished under the terms of this agreement, the Sponsor agrees that payment by the Sponsor to the State of an amount equal to the value of any assistance extended under this agreement would be inadequate compensation to State for any breach by the Sponsor of this agreement. The Sponsor further agrees, therefore, that the appropriate remedy for State in the event of a breach by the Sponsor of this agreement shall be the specific performance of the agreement.

6. Sponsor shall complete the work of the project by (2 YEARS FROM AGREEMENT) ^{APPROVAL}.
7. Provisions of State law applicable to this agreement are hereby incorporated.
8. Sponsor shall sign this agreement during a duly authorized session of its BOARD OF COMMISSIONERS.
9. Sponsor shall comply with and are subject to the requirements of the Office of Management and Budget Circular A-128 which implements the Single Audit Act of 1984 (P.L. 98-502). Title 49 CFR Part 90.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year first above mentioned.

STATE OF OREGON, by and through its
Department of Transportation, Parks and
Recreation Division

APPROVED AS TO FORM:

By

Assistant State Parks Administrator

Wm. E. Smith
Assistant Attorney General

Sponsor

JONES COUNTY

ATTEST:

by and through its BOARD OF COMMISSIONERS
(SIGNATURE(S))

AGENCY BILLING FORM

Agency JONES COUNTY PARKS NPS Project No. 41-01105 Billing No. 2
 Project Clear Lake Boat Ramp OP File No. 1831 Partial ☒
 Date Work Started 5-5-80 End of Billing Period Aug. 1, 1980 Final ☐

DETAIL OF PROJECT COSTS	COSTS INCURRED THIS PERIOD	COSTS BILLED PREVIOUSLY	TOTAL COSTS TO DATE
Salaries and Wages	\$ <u>6,10.58</u>	\$ <u>1143.17</u>	\$ <u>1,753.75</u>
Contract Payments	<u>14,801.50</u>	<u>0</u>	<u>14,801.50</u>
Consultant Services			
Equipment Rental (owned)	<u>390.35</u>	<u>1187.63</u>	<u>1,497.98</u>
Equipment Rental (outside)			
Materials and Supplies	<u>707.50</u>	<u>196.31</u>	<u>903.91</u>
Approved Pre-Agreement Costs	<u>0</u>	<u>1206.25</u>	<u>1206.25</u>
Real Property Cost	<u>-</u>		
Relocation Costs	<u>-</u>		
Value of Approved Donations (non-cash)	<u>0</u>	<u>1355.16</u>	<u>1355.16</u>
 TOTAL COSTS	\$ <u>16,509.93</u>	\$ <u>5008.62</u>	\$ <u>21,518.55</u>
Less Costs in Excess of Agreement			
ALLOWABLE COSTS PER AGREEMENT	<u>16,509.93</u>	<u>5008.62</u>	<u>21,518.55</u>
Less Agency's Share			
Less Other Funds Used (Identify below)			
 AMOUNT TO BE BILLED TO	<u>8254.96</u>	<u>2504.31</u>	<u>10,759.27</u>

I certify that this billing is correct and is based upon actual costs** incurred by this agency; that it does not include any costs chargeable, in full or part, to other Federal programs; and that no Federal funds have been used for any of this agency's matching share (except as shown above).

I also certify that the work and services which have been performed to date are in accordance with the approved project agreement including amendments thereto; and that this agency has complied with all applicable Federal, State and local statutes.

I further certify that this agency is not involved in any court litigation or lawsuit wherein it is alleged by private parties of the United States that persons were, on the grounds of race, color or national origin excluded from participation in, denied benefits of, or otherwise subject to discrimination in the programs or facilities of this agency.

Ed Jones III
 Signature of Agency's Authorized Official

Park Director
 Title

Aug. 1, 1980
 Date

Person to contact for audit

Address

Phone No.

**The value of labor, materials, equipment usage, etc. donated by sources outside the agency may be included only if fully documented in the project application and approved in advance by the National Park Service.

Section 5.9 Cont.

